STATEMENT OF WORK

4.3.6.9.1

APPENDIX G TO THE CONSENT DECREE FOR THE UNION PACIFIC RAILROAD WALLACE-MULLAN BRANCH RESPONSE ACTION

DECEMBER 1999

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1.1 Introduction

This Statement of Work ("SOW") details, as Elements of Work, the tasks and activities to be undertaken by UPRR in compliance with the Consent Decree (CD). The Elements of Work and their respective Components are as follows:

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1.2 Definitions

Unless otherwise expressly provided herein, terms used in this SOW which are defined in Section IV of the CD shall have the meaning assigned to them in the CD. For convenience, definitions of certain terms defined in the CD, as well as certain other terms that are used in this SOW, are provided, below.

1.2.1 "Ballast" shall mean the rock material originally used by UPRR for track and tie embedment for the mainline and sidings within the Wallace-Mullan Branch. Within the ROW and Plummer Junction, ballast may consist of Mine Waste, material contaminated with Mine Waste, or clean quarried rock. Due to scatter, previous maintenance activities and flood events, the present ballast location may not be limited to the rail section, but may include the adjacent shoulders and other areas within the ROW and Plummer Junction.

1.2.2 "Clean" shall mean material that contains mean sample concentrations of less than 100 mg/kg zinc, 100 mg/kg lead, 20 mg/kg arsenic and 5 mg/kg cadmium. No single sample concentration shall exceed 150 mg/kg lead.

1.2.3 "Concentrate Accumulation"shall mean a visually identifiable accumulation of ore concentrate material within the ROW.

1.2.4 "Day" shall mean a calendar day, unless expressly stated to be a Working Day. "Working Day" shall mean a day other than a Saturday, Sunday, State, Tribe, or Federal holiday. In computing any period of time under this SOW, where the last day would fall on a Saturday, Sunday, State, Tribal, or Federal holiday, the period shall run until the close of business of the next Working Day.

1.2.5 "Element(s) of Work" shall mean the specific work elements as set forth in this SOW. Each Element of Work may have multiple Components as specified in this SOW.

1.2.6 "Functional Right of Way Width"(FROWW) shall mean that portion of the ROW width that is generally accessible by humans and therefore represents an area of probable exposure through direct contact with Mine Waste. As an example, the FROWW will generally not include the following areas:

- Railroad embankment slopes, on the river or lake side, from the top of slope down to the edge of the water;
- Paved streets;
- Slopes steeper than 2H:1V;
- Areas that are seasonally submerged; and

- Areas covered with vegetation that is sufficiently dense to preclude easy access to the area.

1.2.7 "Governments" shall mean the Coeur d'Alene Tribe, United States, and the State of Idaho.

1.2.8 "Holidays" shall mean those days when the offices of the State, Tribe, or Federal Government are closed for normal business.

1.2.9 "Hostile Vegetation" shall mean vegetation that either: is specified as such within the Project Material and Placement Specifications, Attachment G to the SOW (the PMPS); forms a dense coverage; or contains brambles, vines, thorns, or other attributes that discourage human passage.

1.2.10 "Mine Waste" shall mean jig and flotation tailings, mine waste rock, ores, and ore concentrates, all of which are derived from mining activities.

1.2.11 "Noxious Weeds" shall mean plants identified as Noxious Weed Species as defined by the Idaho Noxious Species Act and are currently listed as noxious weed species by Benewah, Kootenai, or Shoshone Counties.

1.2.12 "Off-site" shall mean those areas not included within the definition of "On-site".

1.2.13 "On-site" means the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action. For purposes of this SOW and the CD, On-site shall include those areas outside of the ROW that have been approved by the Governments for use as access roads and staging areas. On-site shall also include those areas within the Bunker Hill Superfund Site (BHSS) that the Governments have approved for disposal, storage, or staging of contaminated material that is generated as a result of this Work.

1.2.14 "Performance Standards" shall mean those cleanup standards, standards of control, and other substantive requirements, criteria or limitations to be achieved by UPRR in implementing the Elements and Components of Work as set forth in the SOW. The Performance Standards for the Work are specified in Section 2 . To the extent not defined in this SOW and attachments, Performance Standards shall be set forth, as appropriate, in later amendment(s) to this SOW, or in the Governments' approvals and decisions made under this SOW.

1.2.15 "Plummer Junction Loop" shall mean that portion of Plummer Junction in which work will be performed under this SOW as specified within the RAD Drawings. The Plummer Junction Loop shall include: (1) the portion of the inactive line within Plummer Junction from mm 16.6 to mm16.4 (approximately 1500 feet south to the St. Maries Line switch); (2) the 1955 abandonment that extends from mm16.6 to the former mm 16.4 of the 1955

abandonment (approximately 1200 feet west to the embankment of the existing active line); (3) the former old rail bed or siding in the south of the 1955 abandonment (approximately 900 feet within the loop); (4) the area within the loop south of Plummer Creek and north of the inactive line (mm 16.6 to mm 16.4); and (5) the area of concentrate accumulations removed in October 1999 as shown on the RAD Drawings.

1.2.16 "Remote Areas" shall mean those areas of the ROW that are outside of the residential areas.

1.2.17 "Residential Areas" shall mean those areas of the ROW that are within or immediately adjacent to either an incorporated or unincorporated community. The residential areas shall also include that portion of the ROW that lies for a distance of 1000 feet along the ROW in each direction from the community. The 1000 feet shall be measured from a line that extends perpendicular from the ROW centerline to the outermost point of the outermost residential structure within the community.

1.2.18 "Response Action" shall mean those activities, except for Maintenance and Repair, to be undertaken by the Settling Defendant to implement the response action identified in the EE/CA and specified in the SOW.

1.2.19 "Right-of-Way" or "ROW" shall mean: (1) the Wallace Branch right-of-way which extends for 63.8 miles from mile marker 16.6 at Plummer Junction to mile marker 80.4 in Wallace; (2) the Mullan Branch which extends 7.6 miles from mile marker 0 at Wallace to the east side of Mullan at mile marker 7.6; (3) all sidings, bridges and structures thereon or connected thereto. The geographic scope of the ROW is shown within the RAD Drawings which are based on railroad valuation maps. In the event the ROW as depicted in the RAD Drawings is unclear, the railroad valuation maps shall determine the ROW.

1.2.20 "Settling Parties" shall mean the United States, State of Idaho, Coeur d'Alene Tribe and UPRR.

1.2.21 "Storm Event" shall mean a precipitation event that results in either: (1) 3.0 inches of rainfall within a 24 hour period as measured either by the National Weather Service (NWS) gage at Coeur d'Alene, Idaho or the fire station at Kellogg, Idaho or (2) a river flood stage elevation of 43 feet or greater as measured at the United States Geologic Survey (USGS) gage number 12413500 on the Coeur d'Alene River at Cataldo, Idaho. The USGS gage readings are reduced by the USGS to the base datum of the gage at 2,100.00 feet above the National Geodetic Vertical Datum of 1929.

1.2.22 "Waste Material" shall mean (1) Mine Waste; (2) any "hazardous substance" under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14); (3) any pollutant or contaminant under Section 101(33) of CERCLA, 42 U.S.C. § 9601(33);

(4) any "solid waste" under Section 1004(27) of RCRA, 42 U.S.C. § 6903(27); (5) any "hazardous waste" under Section 1004(5) of RCRA, 42 U.S. § 6904(5), or hazardous constituent as defined at 40 C.F.R. § 260.10 pursuant to RCRA; and (6) any "hazardous waste," "solid waste" or "toxic" material under applicable Federal, State or Tribal law.

1.2.23 "Work" shall mean all activities Settling Defendant is required to perform under the CD as set forth in this SOW, except those activities required by the CD Sections XVI (Reimbursement of Response Costs and Payments in Settlement of Natural Resource Damages Claims) and XXVI (Retention of Records).

1.2.24 "Work Area" shall mean the geographic area in which work is performed under the CD and this SOW. The Work Area shall include:(1) the ROW; (2) areas outside of the ROW that have been approved by the Governments for use as access roads and staging areas; (3) the Plummer Junction Loop; and (4) those areas within the BHSS that the Governments have approved for disposal, storage, or staging of contaminated material that is generated as a result of this Work. Work Area does not include: (1) the spurs or connecting branch lines outside of the ROW; (2) the Wallace Yard between mm 78.5 and mm 79.8 outside of a 26 foot wide corridor along the centerline of the tracks; (3) that portion of the Mullan Branch between mile marker 7.15 and 7.6 that may include encroachments from the Lucky Friday mine haul road; (4) the areas identified on the RAD Drawings as possible encroachment by the Hecla Tailings Impoundment, Morning Mine Rock Dump, the Lucky Friday Waste Impoundment, and the Burns Yaak Mine Dump.

1.3 Attachments to the SOW

The following attachments to this SOW serve to further define the requirements of the Work and are hereby made a part of this SOW.

- Attachment A: Track Salvage Work Plan
  - Access and Staging Plan
  - Concentrate Accumulation Removal Plan
- Attachment B: Flood Damage Repair Work Plan (hereinafter referred to as the FDR Work Plan)
- Attachment C: Response Action Work Plan for the Removals, Disposal, and Protective Barriers Element of Work (hereinafter referred to as the RA Work Plan)

- Attachment D: Response Action Design Drawings (hereinafter referred to as the RAD Drawings)
- Attachment E: Maintenance and Repair Plan (hereinafter referred to as the M&R Plan)
- Attachment F: Wetlands Plan
- Attachment G: Project Material and Placement Specifications
- Attachment H: Material Acceptance and Placement Requirements for the Slag Pile Area

1.4 General Provisions

1.4.1 Whenever this SOW uses the terms "include" or "includes," they shall mean "include, but are not limited to," and "includes, but is not limited to," respectively.

1.4.2 The Work shall be performed in accordance with the CD, including, but not limited to, this SOW; all standards, plans, specifications, and schedules set forth in or developed pursuant to the CD and this SOW; and any modifications or amendments thereto made pursuant to the terms of this SOW and the CD.

1.4.3 Except as otherwise provided for in Section 5, the Work under this SOW and any final plans, designs, reports, schedules, or proposals developed under this SOW shall be implemented only after receipt of the Governments' written approval.

1.4.4 The Settling Parties have made a good faith effort to precisely define the Work to be performed by UPRR. They acknowledge, however, that despite these efforts, new conditions or information discovered during performance of the Work may dictate changes in the Work. When such new conditions or information is discovered by any of the Settling Parties they shall promptly notify the other Settling Parties of the discovery. Provided that the Settling Parties agree that new conditions or information have been identified, the Settling Parties shall engage in a good faith effort to define and agree what changes in the Work are necessitated by the changed conditions or new information. All such changes in the Work shall be consistent with the Scope of the Response Action as defined within Paragraph 33, Section VI of the CD. If agreement on the required changes in the Work is reached, the implementation of the changes shall be performed in accordance with either the provisions within Section 1.4.5.3 (for non material field changes) or Section 1.4.5 (for Technical Memorandums) as applicable. Should the Settling Parties fail to reach an agreement as to either the necessity or scope of changes in the Work that is required as a result of the new conditions or information, the Settling Parties shall use the dispute resolution provisions of Section XX of the CD.

1.4.5 UPRR may propose modifications to the Work being performed under this SOW or to final plans, designs, reports, or schedules developed under this SOW through a Technical Memorandum ("TM"), and shall obtain the Governments' written approval of the TM prior to implementing such modifications. The following applies to the use of TMs:

1.4.5.1 UPRR may use a TM to propose that meeting an applicable or relevant and appropriate requirement ("ARAR") under CERCLA is not practicable.

1.4.5.2 UPRR shall not use a TM in lieu of submitting the plans, designs, reports, and schedules required by this SOW.

1.4.5.3 A TM is not required for non-material field changes approved by the Governments or for schedule changes that expedite the submission of deliverables and/or milestone events.

1.4.6 UPRR shall begin performance of the Work, as set forth in Section 5 .

1.4.7 Except as provided in Section XIV, Paragraphs 69 and 70 (Certificate of Completion) of the Consent Decree, UPRR's obligation to perform and pay for the Work associated with a given Element of Work or portion thereof shall cease as of the effective date of the Governments' written approval of the Completion of Obligation Report for that Element of Work or portion thereof.

1.4.8 Neither the SOW, the plans, any standards, specifications, and schedules, nor any approvals, permits or other permissions that may be granted by the Governments related to the CD constitute a warranty or representation of any kind by the Governments that this SOW, plans, standards, specifications, schedules, or EPA response action decision documents, when implemented, will achieve the Performance Standards established or to be established, and shall not foreclose the Governments from seeking performance of all terms and conditions of the CD or EPA response action decision, provided that the enforcement of such performance standards is not otherwise precluded by the CD. However, the Settling Parties anticipate that compliance with the work requirements set forth in this SOW will achieve the Performance Standards. The Work performed by the UPRR pursuant to the CD shall include the obligation to achieve the Performance Standards.

1.4.9 All Work, tasks, and activities undertaken by UPRR pursuant to this SOW and the CD, shall be performed in accordance with all applicable federal, state, local, and tribal laws and regulations.

1.4.10 In accordance with § 300.415(j) of the NCP, removal actions taken pursuant to CERCLA section 106 under this SOW and the CD shall, "...to the extent practicable considering the exigencies of the situation, attain applicable or relevant and appropriate requirements ("ARARs") under federal environmental or state environmental or facility siting laws. Waivers described in § 300.430(f)(1)(ii)(C) of the NCP may be used for removal actions. Other federal and state advisories, criteria, or guidance may, as appropriate, also be considered in formulating a removal action."

1.4.11 To the extent practicable, considering the exigencies of the situation, the Work shall attain applicable or relevant and appropriate requirements under state environmental or facility siting laws as well as advisories, criteria or guidance. Only those state standards that are promulgated, are identified by the state in a timely manner, and are more stringent than federal requirements may be applicable or relevant and appropriate.

1.4.12 To the extent practicable, considering the exigencies of the situation, the Work shall attain applicable or relevant and appropriate requirements under Tribal environmental or facility siting laws as well as advisories, criteria or guidance. Only those tribal standards that are promulgated, are identified by the Tribe in a timely manner, and are more stringent than federal requirements may be applicable or relevant and appropriate.

1.4.13 The CD, including this SOW, is not, and shall not be construed to be, a permit issued pursuant to any federal, state, tribal or local statute or regulation.

1.4.14 As provided in Section 121(e) of CERCLA and § 300.400(e) of the NCP, no Federal, State, or local permits shall be required for any portion of the Work conducted entirely On-site. In addition, no Tribal permit(s) shall be required for work that is conducted entirely On-site within the Reservation boundaries.

1.4.15 Where any portion of the Work requires a Federal, State, local or Tribal permit or authorization, UPRR shall submit timely and complete applications for such permits or authorizations and take all other actions necessary to obtain all such permits or authorizations. UPRR or its designee shall be required to obtain and hold any permits needed for implementation of the Work. UPRR may seek relief under the provisions of Section XVIII (Force Majeure) of the CD for any delay in the performance of the Work resulting from a failure to obtain, or a delay in obtaining, any permit required for the Work.

1.4.16 Wherever commencement of Work or the Period of Performance in this SOW is linked to UPRR's submission of an Initiation of Operation Report, the date that such Work or Period of Performance commences is subject to the Governments' written acceptance of that Report. If the Governments agree that necessary conditions have been satisfied, the date Work commenced or Performance ended will be retroactive to the date of UPRR's submission of the Initiation of Operation Report. If the Governments do not agree, then the date shall extend until the Governments determine that the necessary conditions have been satisfied.

1.4.17 When UPRR concludes that all or a portion of an individual Element of Work has been fully performed and the Performance Standards have been attained UPRR shall schedule and conduct a pre-certification inspection to be attended by UPRR, EPA, the State and the Tribe in accordance with the procedures specified in Section XIV of the CD. If, after the pre-certification inspection, UPRR still believes that all or a portion of an individual Element of Work has been fully performed and the Performance Standards have been attained, it shall submit a Completion of Obligation Report requesting certification of such completion to the Governments in accordance with the procedures specified in Section XIV of the CD. Unless otherwise approved by the Governments, UPRR may only undertake the

certification process on those portions of an Element of Work identified in Sections 5.6 and 5.8 (Removals, Disposal, and Protective Barriers Element of Work within the Upper Basin, and the Trail Element of Work within the Upper Basin, respectively). In the Completion of Obligation Report a registered Professional Engineer and the Settling Defendant's Project Coordinator shall state that portion of the Element of Work covered by the report has been completed in full satisfaction of the requirements of the CD. The written report shall include as-built drawings, if applicable, that are signed and stamped by a registered Professional Engineer. The Completion of Obligation Report shall contain the following statement, signed by a responsible corporate official of Settling Defendant or the Settling Defendant's Project Coordinator:

> To the best of my knowledge, after thorough investigation, I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

1.4.18 All as-built drawings shall be signed and stamped by a registered Professional Engineer of the State of Idaho.

1.4.19 UPRR shall integrate and coordinate, as appropriate, each Element of Work with all other Elements of Work.

1.4.20 UPRR shall, prior to any shipment of Waste Material resulting from the Work to an out-of-state waste management facility, provide written notification to the appropriate state environmental official in the receiving facility's state and to EPA of such shipment of Waste Material.

> The written notification shall include the following information, where available: (1) the name and location of the facility to which the Waste Material is to be shipped; (2) the type and quantity of the Waste Material to be shipped; (3) the expected schedule for the shipment of the Waste Material; and (4) the method of transportation. UPRR shall notify the state in which the planned receiving facility is located of major changes in the shipment, such as a decision to ship the Waste Material to another facility within the same state or to a facility in another state.
>
> The identity of the receiving facility and the state will be determined by UPRR. UPRR shall provide the information required, above, as soon as practicable before the Waste Material is actually shipped.

1.4.21 Unless otherwise specified in writing by the Governments, UPRR shall submit to the Governments, 14 copies of all Deliverables, and 14 copies of other submissions required by this SOW.

1.4.22 Any repairs or disruptions to community or private infrastructure, such as roads and utilities, that result from the implementation of the Work shall be performed and coordinated with the affected community, private entity, and Governments in a timely manner with minimal disruption to service.

1.4.23 Actions undertaken by UPRR within the ROW shall be coordinated with other response actions in adjacent areas as practicable.

1.4.24 The Work includes the construction of an asphalt trail within that portion of the ROW that is within the BHSS as specified within the RAD Drawing and the RA Work Plan. The Settling Parties acknowledge that current plans also call for other parties to construct portions of the asphalt trail within the BHSS. If these other parties do not complete construction of their portion of the asphalt trail within the time described in Section 5 for completion of the Trail Element of Work, UPRR shall construct those portions of the asphalt trail. The portions of the asphalt trail within the BHSS installed by UPRR shall be completed within the time specified in Section 5 for completion of the Trail Element of Work.

2.0 DESCRIPTION OF WORK TO BE PERFORMED, PERFORMANCE STANDARDS AND OBJECTIVES

This Section sets forth the Elements and Components of Work to be performed pursuant to the CD and states the Objectives and Performance Standards for each element of the Work.

2.1 General Standards Applicable to all Elements and Components of Work

2.1.1 UPRR shall demonstrate achievement of the Performance Standards set forth in this Section 2.

2.1.2 Unless otherwise specified within a specific work plan for a given Element of Work, achievement of the Performance Standards shall be demonstrated at representative locations and using methods that are proposed by UPRR and are subject to the review and approval of the Governments.

2.1.3 All Work performed and proposals made by UPRR are subject to the Governments' written approval.

2.1.4 All Work performed by UPRR shall be performed in accordance with the deliverables and schedules set forth under Sections 4 and 5, respectively.

2.1.5 Unless otherwise specified, UPRR shall dispose of, or arrange and provide for the disposal of, Waste Materials generated from implementing the Work.

2.1.6 In the event that the performance of Work under this SOW results in the damage or destruction of any building, structure, or other similar facility within the ROW, UPRR shall either repair or replace, as necessary, such building, structure, or other similar facility with one that provides the same function in a manner that is subject to the approval of the Governments provided that the Governments believe that such building, structure, or other similar facility is needed for a future use. If UPRR disagrees with the Governments as to the need for the building, structure, or other similar facility and the Settling Parties subsequently fail to reach an agreement as to either the necessity for or scope of the repair or replacement of such building, structure, or other similar facility, UPRR may seek dispute resolution under Section XX of the CD. Notwithstanding the above, UPRR shall not dispute the need for such a building, structure, or other similar facility that is part of an established use at the time of lodging of the CD and the Governments decide that such use will be allowed to continue during trail operation.

2.1.7 Waste Material generated in the performance of the Work that requires disposal shall either be disposed of On-site or Off-site in accordance with the following requirements:

2.1.7.1 If disposed of Off-site such disposal shall be in compliance with all applicable laws and regulations including the Off-site Disposal Rule (40 C.F.R 300.440); or

2.1.7.2 If disposed of On-site, such disposal shall occur within the Slag Pile Area (SPA) that is located within the Bunker Hill Superfund Site (BHSS) or otherwise managed On-site in accordance with procedures approved by the Governments. Disposal within any designated On-site disposal areas shall be in accordance with material handling and waste acceptance requirements specified by the U.S. Environmental Protection Agency (EPA) and Idaho Division of Environmental Quality (IDEQ) for the respective disposal area.

2.1.8 Unless otherwise approved by the Governments, UPRR shall implement, install, and/or use the controls specified below during all construction activities.

2.1.8.1 Any necessary archeological inspections shall be coordinated with the Tribe and any other parties that have applicable authorities under state or federal law as follows. Portions of the Work Area are associated with historic and prehistoric uses and may contain archeological deposits that may represent a cultural resource of importance to the Coeur d'Alene Tribe. Should any bones, shards, implements, or other archeological deposits be discovered during the construction phase of the Work, all construction activities within the immediate area of the discovery shall stop and the designated Tribal cultural or natural resources staff as well as any other parties that have applicable authorities under state or federal law shall be notified. The Tribe or any other parties that have applicable authorities under state or federal law shall be given a reasonable opportunity to document or recover the finds. If significant artifacts are found that are intermingled with contaminants, UPRR will work with the Tribe to evaluate options for their removal or protection. In the event that human remains are located, work shall be halted within a sufficient surrounding area to maintain the integrity of the remains and the Tribe shall be promptly notified. Construction in the affected area may be resumed upon approval of the Tribal cultural resources director.

2.1.8.2 Access to active work areas shall be restricted through the use of appropriate measures (e.g., fencing, barricades, etc.). For purposes of this provision, active work areas shall mean those areas of the Work Area in which construction associated with the Work is occurring and such construction activities would represent a potential safety hazard to the general public if access were not controlled. Active work areas shall also include those portions of the Work Area where, as a result of the ongoing construction activities, exposure to contaminants is temporarily greater than that which existed prior to the implementation of the construction activities.

2.1.8.3 Controls as outlined in work specific health and safety plans shall be implemented to prevent unacceptable contaminant exposures to workers within the Work Area and adjacent communities.

2.1.8.4 Mitigation measures as specified in the applicable work plans shall be implemented to fulfill the requirements of the "Biological Assessment for Threatened, Endangered, and Species of Concern, Wallace-Mullan Branch, Implementation of Response Action and Rails-to Trails Conversion", prepared by MFG, Inc. 1999 (the "BA").

2.1.8.5 Removals and other excavations conducted as part of the construction activities shall be performed in a manner that allows for proper drainage from the excavated area. Except as required to protect barriers that are installed as part of the Work or to otherwise correct drainage problems that result from the Work, this provision is not intended to create an obligation for UPRR to improve existing drainage patterns.

2.1.8.6 Construction activities associated with the Work shall be performed in a manner that minimizes the damage to existing vegetation that is located outside of the following areas: where protective barriers or removals are to be performed as part of the implementation of the RA Work Plan; or areas that are to be disturbed as part of approved access and staging areas. Damage to such existing vegetation shall be mitigated as follows:

2.1.8.6.a. Areas located outside of wetlands that contain grass, forbs, and low shrubs shall be seeded with the seed mix specified within the PMPS for the type of habitat encountered (riparian or upland).

2.1.8.6.b. Wetland areas shall be mitigated in accordance with the provisions of the Wetlands Plan, Attachment F to this SOW.

2.1.8.6.c. In areas where hostile vegetation previously provided access control, hostile vegetation as specified within the PMPS shall be used to mitigate the damage.

2.1.8.6.d. Areas where a stand of existing trees in excess of four inches in trunk diameter are destroyed shall be mitigated by the installation of small tree plantings as specified in the PMPS on a density that is consistent with the density of the destroyed trees, unless otherwise approved by the Governments. This requirement shall not apply to individual trees that may be destroyed incidentally due to damage in the other areas as described in 2.1.8.6.a through c.

2.1.8.7 Construction activities located within surface water, water ways, or wetlands shall be performed using the controls specified within the Wetlands Plan.

2.1.8.8 Construction activities shall be conducted in a manner that does not result in the re-contamination of areas of removal or protective barriers. Any such re-contaminated areas shall be addressed by UPRR in a manner that is subject to the review and approval of the Governments.

2.1.8.9 Construction quality control and quality assurance monitoring shall be conducted in accordance with the provisions of the Project Quality Assurance/Quality Control Plan and be coordinated with the Governments' oversight of the Work; however, oversight by the Governments shall not in any way relieve the obligation of UPRR to conduct the Work in accordance with the provisions of the CD and Work Plans.

2.1.8.10 All construction activities shall be conducted in a manner such that active work sites are maintained in an orderly manner. The sites shall be kept free from accumulations of waste materials, rubbish, and other debris resulting from the work. At the completion of the work, waste materials, rubbish, and debris from and about the work area as well as tools, appliances, construction equipment, machinery and surplus materials shall be removed. Any material requiring disposal shall be disposed of in accordance with applicable provisions of this SOW.

2.1.8.11 Best Management Practices (BMPs) shall be used as specified below during all construction activities to minimize the transport of disturbed material by either water, wind erosion or vehicles.

2.1.8.11.a. The Work shall be conducted in a manner that minimizes the generation of fugitive dust. If the application of water or other dust suppressants to work areas is used to control the generation and migration of fugitive dust, such application of dust suppressants shall comply with the following requirements:

2.1.8.11.a.(i) Dust suppressants containing brine, or other materials that are harmful to surface water or vegetation shall not be used.

2.1.8.11.a.(ii) Application of dust suppressants shall be performed in a manner that minimizes surface water runoff, over spray of chemical suppressants into surface water bodies, wetlands or other sensitive habitats, and/or generation of muddy conditions.

2.1.8.11.b. The following BMPs shall be used to minimize the transport of sediment from work areas:

2.1.8.11.b.(i) Staging areas, accumulation areas and other areas where work is to be performed on exposed slopes shall be isolated with appropriate BMPs to minimize transport of potentially contaminated sediments from the work areas by surface water runoff.

2.1.8.11.b.(ii) Construction activities within the ballast section of the rail bed generally will not require isolation as the coarse, granular nature of the ballast is not conducive to transport by surface water runoff during normal storm events. However, care shall be taken to conduct the construction activities in a manner that minimizes dispersal of the ballast.

2.1.8.11.b.(iii) The required sedimentation controls shall be maintained throughout the construction activities. Inspection of the sedimentation controls shall occur as necessary to prevent failure. Repairs, removal, and disposal of accumulated sediments shall be conducted to maintain the function of the controls.

2.1.8.11.b.(iv) Work that occurs within surface water bodies shall be performed in accordance with the requirements within the Flood Damage Repair Work Plan (Attachment B to the SOW) and the Wetlands Plan (Attachment F to the SOW) to minimize sediment migration from the work area and mitigate damage to existing vegetation. All such work shall be performed in a manner that limits harm to wetlands and surface water. In addition the work shall be performed in a manner that prevents the release of sediments beyond the work area such that the turbidity outside of and adjacent to the sediment control measures does not exceed a weekly average of 25 NTU or a daily maximum of 50 NTU.

2.1.8.11.b.(v) Any dewatering or diversion of surface water and groundwater shall be performed in a manner that prevents the release of sediments beyond the work area such that the turbidity outside of and adjacent to the sediment control measures does not exceed a weekly average of 25 NTU or a daily maximum of 50 NTU.

2.1.8.12 Decontamination of equipment prior to the equipment leaving a controlled work area, shall be performed to control physical tracking of contaminants off of the ROW. For purposes of this provision, a controlled work area shall mean an area where contaminated material has been disturbed by the construction activities. Adequate decontamination will be determined by visual inspection. Equipment staining without the surface accumulation of material shall not require decontamination. Surface accumulations of materials on the tires and truck body shall be removed either by brushing (or similar activity) or by washing with water.

2.1.8.13 All loads of materials that are transported for disposal shall be covered to control spills and dust migration. Loads of material delivered to the work area shall be covered or otherwise managed to minimize the generation of fugitive dust.

2.1.8.14 All construction activities associated with the Work shall be conducted in accordance with applicable spill control and countermeasure procedures that shall be specified in the work plan for that activity.

2.1.8.15 UPRR shall provide, install, and maintain barricades, signage, flashers, and other temporary safety measures during the implementation of the Work, in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), and appropriate State and local regulations regarding traffic safety during construction.

2.2 Salvage of Track, Ties and Other Track Material Element of Work

2.2.1 General Description

The Salvage of Track, Ties, and Other Track Material Element of Work involves the removal of the rail and track structure. This element of work will be performed in accordance with the procedures described within the Track Salvage Work Plan, Attachment A to this SOW.

2.2.2 Performance Objectives

The performance objectives of the Salvage of Track, Ties, and Other Track Material Element of Work are to:

- Salvage the track materials in a manner that prevents the migration of contaminants from the ROW to air, land, and water thereby minimizing the redistribution of the contaminants within the ROW or adjacent properties;
- Ensure that materials salvaged for reuse or recycling are appropriately decontaminated and re-used in railroad or industrial uses;
- Ensure proper disposal of materials that cannot be salvaged for re-use or recycling and any Waste Materials that may be generated during implementation of this Element of Work;
- Minimize the damage to roads, utilities, structures, amenities, and vegetation;

- Minimize disturbance to existing vegetation that will be used as part of the protective barriers;
- Minimize the dispersal of contamination to those portions of the ROW that are not projected to receive response actions;
- Minimize disruptions and construction related impacts to local traffic, drainage patterns, roads, property owners, and communities; and
- Remove and properly dispose of any concentrate accumulations that may be visually identified during implementation of this Element of Work.

2.2.3 Performance Standards

Performance standards for the Salvage of Track, Ties, and Other Track Material Element of Work are as follows:

2.2.3.1 The salvage of Track, Ties, and Other Track Material shall be conducted in accordance with the Track Salvage Work Plan, Attachment A to the SOW.

2.2.3.2 Except for that portion within the BHSS, the existing centerline of the track within the ROW shall be located by survey in Idaho State plane coordinates. Permanent survey monuments that are referenced to Idaho State plane coordinates shall be located within the ROW at: the general boundaries of Mullan, Wallace, Osburn, Cataldo, Medimont; the east and west end of the BHSS; the Bull Run area; Springston; east end of Chatcolet bridge; and the Plummer Junction Area. The survey monuments shall be installed and a copy of the survey monument reference data shall be provided to the Governments as scheduled in Section 5. Such surveying shall be performed under the responsible charge of a Professional Land Surveyor licensed in the State of Idaho.

2.2.3.3 Locations of points of access to the ROW for salvage equipment and hauling trucks as well as staging areas for the salvage operations shall be specified in an Access and Staging Plan (ASP) that is subject to the review and approval of the Governments prior to the start of salvage operations. Upon approval, the ASP will become an attachment to the Track Salvage Work Plan.

2.2.3.4 Any required temporary staging areas, turnouts, equipment decontamination areas, etc. (Support Areas) and access roads located outside of the ROW or the Plummer Junction Loop (the Off-ROW Support Areas and Access Roads) that are constructed for salvage operations, shall be located to minimize impacts to surface waters, wetlands, and/or other sensitive habitats. Off-ROW Support Areas and Access Roads shall be

decontaminated and the decontamination shall be verified by sampling and analysis in accordance with procedures that are subject to the review and approval of the Governments. Such decontamination shall not require the removal of contaminant concentrations that existed in the area disturbed by the Off-ROW Support Areas prior to the use of the Off-ROW Support Areas and Access Roads. Unless otherwise specified by the access agreement with the off-ROW landowner (provided such agreements comply with applicable laws and regulations) the area disturbed by these Off-ROW Support Areas and Access Roads shall be regraded to promote positive drainage and re-vegetated by seeding with the seed mix specified within the PMPS for the type of habitat encountered (riparian or upland).

2.2.3.5 Any required temporary staging areas, turnouts, equipment decontamination areas, etc (Support Areas) and haul roads located within the ROW or the Plummer Junction Loop (On-ROW Support Areas and Haul Roads) shall be:

2.2.3.5.a. Located to minimize impacts to surface waters, wetlands, or other sensitive habitats.

2.2.3.5.b. Removed when they are no longer required for implementation of the Work unless otherwise approved by the Governments.

2.2.3.5.c. Located so as to minimize the disturbance of existing vegetation that is located outside of the areas where protective barriers or removals are to be performed as part of the implementation of the RA Work Plan. Disturbance of existing vegetated areas that are to serve as part of a protective barrier (identified in the RAD Drawings) shall require extension of the placed protective barrier into the area of disturbance as part of the Removals, Disposal, and Protective Barriers Element of Work.

2.2.3.5.d. Located, if practicable, in areas that are to receive protective barriers or removals.

2.2.3.6 The area disturbed by On-ROW Support Areas and Haul Roads that are not located in those portions of the Work Area that are to receive placement of protective barriers or removals under the Removals, Disposal, and Protective Barriers Element of Work shall be:

2.2.3.6.a. Decontaminated or otherwise addressed as follows:

2.2.3.6.a.(i) Within the Coeur d'Alene Reservation, the On-ROW Support Areas and Haul Roads shall be decontaminated unless otherwise approved by the Governments. Decontamination of such areas shall be verified by sampling and analysis in accordance

with procedures that are subject to the review and approval of the Governments.

2.2.3.6.a.(ii) If the On-ROW Support Areas and Haul Roads within that portion of the ROW outside of the Coeur d'Alene Reservation result in disturbance of an area such that there is an increase in exposure potential over that which existed prior to the use of the On-ROW Support Areas and Haul Roads, then one of the following measures shall be taken:

- A protective barrier will be placed over the disturbed area under the Removals, Disposal, and Protective Barriers Element of Work;
- Hostile vegetation will be placed within the disturbed area under the Removals, Disposal, and Protective Barriers Element of Work; or
- The area will be decontaminated to the concentrations that existed prior to the use of the area for a support area or haul road. Such decontamination shall be verified by sampling and analysis in accordance with procedures that are subject to the review and approval of the Governments.

2.2.3.6.b. Graded to drain and re-vegetated as follows:

2.2.3.6.b.(i) Areas that contain grass, forbs, and low shrubs shall be seeded with the seed mix specified within the PMPS for the type of habitat encountered (riparian or upland).

2.2.3.6.b.(ii) In areas where dense or hostile vegetation previously provided access control, hostile vegetation as specified within the PMPS shall be used for re-vegetation

2.2.3.6.b.(iii) Areas where a stand of existing trees in excess of four inches in trunk diameter are removed shall be re-vegetated by the installation of small tree plantings as specified in the PMPS on a density that is consistent with the density of the removed trees, unless otherwise approved by the Governments.

2.2.3.7 Decontamination of salvageable material (i.e. track, ties, and other track material) shall be performed, as necessary, to remove surface accumulations of material. Adequate decontamination shall be determined by visual inspection. Handling of the materials will generally result in a surface that requires no further decontamination effort. Staining alone without the accumulation of surficial material will not require decontamination. If necessary, accumulations of surficial material on the salvageable materials shall be removed either by brushing (or similar activity), or by pressure washing with water.

2.2.3.8 Any track, ties, or other track materials, that are decontaminated in accordance with the requirements of Section 2.2.3.7 and such decontamination is verified by the Governments, shall be considered not to be contaminated with or to contain RCRA hazardous waste metals under 40 CFR 261.3(f)(2) and IDAPA 16.01.05.05.

2.2.3.9 Intact ties (as opposed to broken tie debris that are less than a nominal nine inches in any dimension) that are removed from the rail bed as part of the salvage operations shall be managed as follows in order to minimize uncontrolled access to these ties by the general public:

2.2.3.9.a. Within residential areas or areas of the ROW that have ready access from public roads, ties that are removed from the ballast shall be removed from the ROW to a staging area or other location having controlled access by the end of each construction day.

2.2.3.9.b. In remote areas, ties that are removed from the ballast shall be removed from the ROW to a staging area or other location having controlled access within a period of three days of removal from the ballast.

2.2.3.10 Visually identifiable accumulations of ore concentrate material that are found during implementation of track salvage shall be removed and properly disposed of as follows:

2.2.3.10.a. The concentrate accumulations shall be removed prior to the performance of any further work that could cause dispersal of the concentrates. Such removals shall be performed in accordance with the requirements specified within the Concentrate Accumulation Removal Plan (CAR Plan) which is an appendix to the Track Salvage Work Plan and meet the following performance requirements:

2.2.3.10.a.(i) Removals of concentrate accumulations shall extend to a minimum of 12 inches laterally from the edges of the visually identifiable concentrate and to a

minimum depth of 6 inches below the vertical extent of the visually identifiable concentrate.

2.2.3.10.a.(ii) If placed on the ground, excavated concentrate material shall be underlain by plastic sheeting.

2.2.3.10.b. Any temporary stockpiles of excavated concentrate material that will remain overnight shall:

2.2.3.10.b.(i) Be located, bermed or ditched to prevent run-on of surface water into the material.

2.2.3.10.b.(ii) Except when placement of material into the stockpile is occurring, the stockpile shall be completely covered with plastic sheeting to prevent precipitation from falling on the material and to prevent run-off of contaminated water and sediment.

2.2.3.10.c. Any excavated concentrate material that is temporarily stockpiled within a portion of the ROW that does not have controlled access shall be removed within 5 working days of excavation.

2.2.3.10.d. Excavated concentrate material that is temporarily stockpiled on that portion of the ROW that is within the fenced portion of the BHSS shall be removed within 20 working days unless otherwise approved by the Governments. The management of any temporary stockpile within the fenced portion of the BHSS shall be coordinated with the U.S. Corps of Engineers so as to not interfere with other activities within this area.

2.2.3.10.e. Concentrates shall be disposed of in accordance with procedures specified within the CAR Plan.

2.2.3.11 Prior to the start of track salvage activities as defined in the Project Construction Schedule submitted in accordance with Section 5 UPRR shall:

2.2.3.11.a. Post signs at locations specified in the ASP that identifies a point of contact including a telephone number for a UPRR representative to respond to questions by the public pertaining to the Work.

2.2.3.11.b. Notify the appropriate representative of incorporated communities and counties along the ROW of the start of the Work.

2.2.3.12 Prior to the start of track salvage activities as defined in the Project Construction Schedule submitted in accordance with Section 5, UPRR shall develop and implement a public information presentation at three locations

along the 72 mile ROW corridor. The public presentation shall provide for the following:

2.2.3.12.a. A general description and schedule for the Work.

2.2.3.12.b. Identification of points of contact for UPRR during the construction activities.

2.2.3.12.c. An awareness of safety precautions that should be observed near construction activities and any human health concerns that may be associated with the construction.

2.2.3.12.d. The posting of signs at the public access points to work areas that identifies UPRR or their representative as a point of contact for the public during the construction activities.

2.3 Flood Damage Repair Element of Work

2.3.1 General Description

The Flood Damage Repair Element of Work involves the repair of flood damaged portions of the rail bed embankment in order to maintain the integrity of the railroad grade for use as a recreational trail and to minimize the migration of contaminants from the ROW. This Element of Work includes one or more of the following actions: repair of embankments; removal of past accumulations of flood debris from bridges; establishment of vegetation for embankment stabilization; installation of riprap armor protection; the clean-out of sediments and debris from existing culverts; repair of existing culverts and new culvert installation; and the removal of any remaining visually identifiable concentrate accumulations. This Element of Work will be performed in accordance with the Flood Damage Repair Work Plan, Attachment B to this SOW.

2.3.2 Performance Objective

The performance objective for the Flood Damage Repair Element of Work is to stabilize the existing rail bed and control damage to the railroad grade during future flood events in order to prevent migration of subgrade materials to areas outside of the railroad embankment.

2.3.3 Performance Standards

The performance standards for the components of the Flood Damage Repair Element of Work are as follows:

2.3.3.1 Embankment repair shall be performed by the placement of clean structural fill that meets the material and placement requirements specified within the PMPS.

2.3.3.2 Re-vegetation for embankment stabilization shall be performed at the locations and in the manner specified within the Flood Damage Repair Work Plan.

2.3.3.3 Riprap armor protection shall be placed at the locations and in the manner specified within the Flood Damage Repair Work Plan.

2.3.3.4 Culverts which contain debris or sediment shall be cleaned to restore free flow. Culverts that are damaged to such an extent that their cross sectional area is reduced by more than 20% shall be replaced with new culverts of equivalent hydraulic capacity.

2.3.3.5 Replacement of culverts shall be performed at the locations and in the manner specified within the Flood Damage Repair Work Plan.

2.3.3.6 Unless otherwise approved by the Governments, the railroad grade in repaired areas shall be restored to an elevation that conforms to the grade of the railroad centerline in the immediately adjacent undamaged areas.

2.3.3.7 The Settling Parties have made a good faith effort to locate all culverts along the UPRR ROW. They acknowledge that despite these efforts all culverts may not have been located. If additional culverts are located during performance of the Work, UPRR shall clean-out, repair, or replace these culverts as needed using methods specified within the Flood Damage Repair Work Plan.

2.3.3.8 Any accumulation of past flood debris that has accumulated within the bridge support structures shall be removed in accordance with procedures specified within the Flood Damage Repair Work Plan.

2.3.3.9 Visually identifiable accumulations of ore concentrate material that are found during implementation of flood damage repair shall be removed and properly disposed of as specified in Section 2.2.3.10.

2.4 Removal, Disposal, and Protective Barriers Element of Work

2.4.1 General Description

The Removal, Disposal and Protective Barriers Element of Work includes the isolation of Mine Waste from certain potential exposure pathways through removals and disposal as well as the placement of protective barriers. The components of this element of work are specified in the Response Action Design Drawings (RAD Drawings) (Attachment D to this SOW). A design narrative and supporting details for the RAD Drawings are provided in the Removals, Disposal, and Protective Barriers Response Action Work Plan (RA Work Plan) (Attachment C to this SOW). This Element of Work includes the following:

- Removal of ballast and other materials from sidings;
- Removal of ballast and other materials from the Coeur d'Alene Reservation;
- Removal of ballast and other materials from other specified areas such as Osburn, Mullan, various loading docks, tie dumps and debris accumulation areas, miscellaneous debris materials and miscellaneous contaminated soil removals;
- Disposal of the removed material either On-site (i.e.at the SPA, or other locations approved by the Governments) or Off-site;
- Placement of an asphalt barrier along portions of the ROW;
- Placement of vegetated, gravel, and asphalt barriers at specified locations;
- Placement of access controls at specified locations;
- Removal and proper disposal of any concentrate accumulations that may be visually identified during implementation of this Element of Work; and
- Characterize and respond to previously unidentified releases of hazardous substances.

2.4.2 Performance Objectives

The objectives of the Removal, Disposal and Protective Barriers Element of Work and its components are to:

- Prevent unacceptable human exposure to Mine Waste and material contaminated with Mine Waste;

- Minimize migration of Mine Waste and material contaminated with Mine Waste on and off of the ROW;
- Minimize the damage to structures, amenities, and vegetation;
- Protect barriers from damage due to unauthorized access;
- Properly dispose of any Waste Materials that may be generated during implementation of this Element of Work;
- Minimize the dispersal of contamination to those portions of the ROW that are not projected to receive response actions;
- Minimize the disruptions and construction related impacts to local traffic, drainage patterns, roads, utilities, property owners, and communities;
- Remove and properly dispose of any concentrate accumulations that may be visually identified during implementation of this Element of Work; and
- Characterize and respond to previously unidentified releases of hazardous substances.

2.4.3 Performance Standards

The performance standards for the Removal, Disposal and Protective Barriers Element of Work represent the prescriptive requirements for this element of work and its components. The performance standards are organized by each component of this Element of Work.

2.4.3.1 General Requirements: The following performance standards are applicable to all components of this element of work :

2.4.3.1.a. Disturbance of existing vegetated areas that are to serve as part of a protective barrier (identified in the RAD Drawings) shall require extension of the placed protective barrier into the area of disturbance as part of the Gravel and Vegetated Barriers Component of Work.

2.4.3.1.b. All removals along that portion of the rail bed that will serve as the trail surface shall be performed in a manner that allows for a smooth transition in any required grade changes. Any such transitions shall not exceed a grade of five per cent (5 feet vertical per 100 feet horizontal).

2.4.3.2 Siding Removals and Disposal Component of Work: The performance standards for siding removals (outside of the Coeur d'Alene Reservation) are as follows:

2.4.3.2.a. Removals of ballast from sidings within the ROW shall be performed in accordance with the applicable RAD Drawings and the RA Work Plan.

2.4.3.2.b. Ballast material within sidings outside of the Coeur d'Alene Reservation shall be excavated to a depth of 21 inches measured from the current (prior to track salvage) reference elevation of the top of the ties along the centerline of the track. The reference elevation for purposes of determining the excavation grade shall be obtained at 50 foot spacings along the centerline of the track over the length of the siding area.

2.4.3.2.c. All siding removals shall occur for the full length of the siding and the full width of visually identifiable ballast.

2.4.3.2.d. Siding ballast excavations shall be regraded and/or backfilled as specified within the RAD Drawings and RA Work Plan to provide for adequate drainage.

2.4.3.3 Coeur d'Alene Reservation Removals and Disposal Component of Work: The performance standards for removals within the Coeur d'Alene Reservation are as follows:

2.4.3.3.a. Removals of Mine Waste within the Coeur d'Alene Reservation portion of the ROW shall be performed based on the characterization sampling and analysis protocol presented in Section 2.4.3.3.b. The application of the results of the characterization sampling and analysis to the removal details shall be as specified in Section 2.4.3.3.c.

2.4.3.3.b. The characterization sampling and analysis protocol for the purpose of determining the extent of Mine Waste removals shall be as specified within this section. The detailed procedures for sample collection, analysis, quality control, and reporting to the Governments shall be specified in a Removal Characterization Sampling and Analysis Plan (RCSAP) that is subject to the review and approval of the Governments.

2.4.3.3.b.(i) The sampling will be performed by UPRR throughout the length of that portion of the ROW that is within the Coeur d'Alene Reservation unless otherwise approved by the Governments. The Governments shall be notified at least 14 days in advance of the start of any removal characterization sampling activities.

2.4.3.3.b.(ii) The ROW will be divided into three parallel sections known as north, center, and south. Each section will then be divided into a series of 500 foot segments. The 500 foot segments will be sampled as described as follows:

- For areas where a single track is present, the width of the center section of the ROW shall be the greater of either (1) an 18 foot wide corridor that is centered on the existing centerline of the track; or (2) the full lateral extent of visually identifiable ballast either side of the centerline of the track. However the width of the center section on either side of the centerline of the track shall not extend beyond the physical boundary limitations specified in Section 2.4.3.3.b.(ii).

- For siding or other areas where multiple tracks are present, the width of the center section of the ROW shall be the greater of either (1) a corridor that extends 6 feet beyond the outermost edge of the ties; or (2) the full lateral extent of visually identifiable ballast either side of the multiple tracks. However the width of the center section on either side of the multiple tracks shall not extend beyond the physical boundary limitations specified in Section 2.4.3.3.b.(ii).

- The north and south sections will extend from the edge of the center section to the closer of either: (1) the ROW boundary as measured from the existing mainline track centerline; or (2) a physical boundary limitation specified in Section 2.4.3.3.b.(ii).

- For purposes of the above definitions a physical boundary limitation will be any of the following: (1) a steep (generally steeper than 2H:1V) slope, cut, or hillside; (2) a water body; (3) dense wooded vegetation; (4) bedrock at the surface, (5) surface material that is predominately rock particles

greater than 6 inches in diameter, or (6) other limitations approved by the Governments.

2.4.3.3.b.(iii) Sub-samples will be collected along the approximate center of each of the above defined 500 foot segments of the north, south and center sections at a spacing of every 100 feet. For areas where multiple tracks were present, sub-samples from the center section segment will be collected alternately between the existing centerline of each set of rails.

2.4.3.3.b.(iv) At each sub-sample location within the north and south sections samples will be collected at depth increments of 0 to 6 inches, 6 to 12 inches, 12 to 18 inches, and 18 to 24 inches below the ground surface.

2.4.3.3.b.(v) As specified within Section 2.4.3.3.c a minimum of the upper 18 inches of the center section ballast will be removed. Therefore, at each sub-sample location within the center section, samples will be collected at depth increments of 18 to 24 inches, and 24 to 30 inches below the current (prior to track salvage) reference elevation of the top of the ballast along the centerline of the rail bed. The reference elevation for purposes of determining the sampling depth shall be obtained at 100 foot spacings along the existing centerline of the rail bed over the length of the mainline.

2.4.3.3.b.(vi) Each individual depth interval sample will be placed into a separate sampling bag and marked with an identification that records the following information:

- Section identification (north, south, or center),
- Sample location along the ROW based on pre-established stationing that is tied to Idaho State plane coordinates,
- Unique segment identification that is established in the RCSAP, and

- Sample depth interval.

2.4.3.3.b.(vii) The five common depth interval samples that pertain to a given 500 foot segment and section will be composited into one sample.

2.4.3.3.b.(viii) The minus 80 sieve size fraction of each of the composite samples will be analyzed for lead using either XRF or laboratory analysis in accordance with procedures specified within the RCSAP. If XRF is used the RCSAP will specify procedures for calibrating the XRF results using laboratory analysis.

2.4.3.3.c. The application of the sampling and analysis results obtained in accordance with Section 2.4.3.3.b. to the determination of the extent of Mine Waste removals within the Coeur d'Alene reservation will be as specified below. This determination will be detailed in a Reservation Mine Waste Removal Plan (RMWRP) that will be subject to the review and approval of the Governments.

2.4.3.3.c.(i) The concentration threshold for determining the need for removals will be 1000 mg/kg of lead.

2.4.3.3.c.(ii) Limited ballast scatter located in areas of the ROW that are outside of the physical boundary limitations defined in Section 2.4.3.3.b.(ii) will be addressed if the Settling Parties agree that such accumulations should be addressed. If the Settling Parties cannot agree, resolution of the disagreement shall be subject to the dispute resolution provisions within Section XX of the CD.

2.4.3.3.c.(iii) In all cases UPRR shall be required to demonstrate either through pre-removal characterization or post-removal verification using the protocol specified in Section 2.4.3.3.b that the upper six inches of material underlying the removal within a given segment and section has a concentration of lead that is below 1000 mg/kg.

2.4.3.3.c.(iv) If the composite sample results for all depth intervals within a given 500 foot segment of a north or south section is below 1000 mg/kg, then that section (either the north, south, or both) for the full 500 foot segment will be considered to be

non-contaminated and will not require any removals.

2.4.3.3.c.(v) If the composite sample results for any depth interval within a given 500 foot segment of a north or south section is above 1000 mg/kg of lead, then UPRR may either:

- Remove all material, within that 500 foot segment of the section, above the depth interval that has a composite sample concentration that is below 1000 mg/kg (i.e. assume the sample result is representative of the entire 500 foot segment for that north or south section); or

- Further delineate the lateral extent of the required removal (i.e. area having a lead concentration above 1000 mg/kg) with additional sampling and analysis. Such delineation and sampling and analysis shall be subject to the review and approval of the Governments.

2.4.3.3.c.(vi) UPRR shall remove the center section ballast to a depth of 18 inches as measured from the current (prior to track salvage) reference elevation of the top of the ballast along the centerline of the rail bed within the ROW main line and sidings. The reference elevation for purposes of determining the excavation grade shall be obtained at 100 foot spacings along the existing centerline of the rail bed over the length of the mainline and siding areas.

2.4.3.3.c.(vii) If the composite sample results within a given 500 foot segment of the center section for any depth interval below the minimum 18 inch removal depth specified above is above 1000 mg/kg of lead then, UPRR may either:

- Remove all material, within that 500 foot segment of the center section, above the depth interval that has a composite sample concentration that is below 1000 mg/kg (i.e. assume the sample result is representative of the entire 500 foot segment for that section); or

- Further delineate the extent of the required removal (i.e. area having a lead concentration above 1000 mg/kg) along the center section with additional sampling and analysis. Such delineation and sampling and analysis shall be subject to the review and approval of the Governments.

2.4.3.3.c.(viii) Except as provided for in Section 2.4.3.3.d, if the composite sample concentration for the deepest interval sampled in any given segment is not below 1000 mg/kg, then the implementation of the sampling and analysis and removals protocol shall proceed in one or more depth increments of 6 inches until lead concentrations in the upper six inches below the removals for a given segment and section are below 1000 mg/kg. In fulfilling this requirement UPRR may either: (1) perform the additional characterization sampling prior to removal; or (2) perform verification sampling after removal of the sampled material. Any such pre-removal characterization or post-removal verification shall be performed and interpreted as follows:

- The sampling and analysis will be in accordance with the protocol specified in Section 2.4.3.3.b. except that UPRR may elect to perform the pre-removal characterization or post-removal verification in one or more six inch depth increments during each sampling event.

- The removal criteria specified in Section 2.4.3.3.c will apply to the sample results obtained in accordance with this Section 2.4.3.3.c.(viii).

2.4.3.3.c.(ix) Notwithstanding any of the above removal requirements, where the subgrade consists of bedrock, or is predominately rock particles greater than six inches in size, the depth of the removal shall not be required to extend into the underlying subgrade. However, all ballast material on or around the surface of this rock subgrade shall be removed.

2.4.3.3.d. If lead concentrations above 1000 mg/kg are found at a depth greater than 36 inches, UPRR may either remove the material or propose an alternative to removal below 36 inches. Such an alternative would be subject to the Governments review and approval in accordance with Sections XI and XIX of the CD. Such proposed alternative shall incorporate the use of protective barriers or other similar measures and include corresponding long term maintenance requirements.

2.4.3.3.e. The material at MM 25.3 and 29.91 that has been identified to be above the concentrations identified in the CAR Plan as being acceptable for disposal in the SPA. This material shall be removed and disposed of offsite in accordance with the requirements of the CAR Plan unless otherwise approved by the Governments. The extent of the material at these locations, for which such off site disposal is required, will be determined by procedures that are specified in the RCSAP.

2.4.3.3.f. Any additional material that is identified as being above the concentrations identified in the CAR Plan as being acceptable for disposal in the SPA shall also be removed and disposed of in accordance with the requirements of the CAR Plan unless otherwise approved by the Governments.

2.4.3.3.g. The above specified ROW mainline and sidings removals shall be performed in accordance with the applicable RAD Drawings.

2.4.3.3.h. Siding and mainline ballast excavations shall be regraded and/or backfilled as specified within the RAD Drawings and RA Work Plan to provide for adequate drainage. Mainline removals adjacent to Lake Coeur d'Alene that result in lowering the elevation of the rail bed to below the normal high water levels for the lake (elev. 2128) shall be backfilled as specified within the RA Work Plan to an elevation that is a minimum of 6 inches above the normal high water lake levels. In all cases the excavated areas shall be backfilled or regraded as necessary to establish the final trail surface at a minimum of 3-inches above the adjacent ground surface.

2.4.3.3.i. Removals of ballast and other Mine Wastes within the Plummer Junction Loop shall be performed as specified in the RAD Drawings and the following requirements:

2.4.3.3.i.(i) Removals within the foot print of the inactive line which extends from MM 16.6 approximately 1500 feet to the west as shown on the RAD Drawings shall be determined based

on the sampling, analysis, and removal protocol specified in Sections 2.4.3.3.b and c.

2.4.3.3.i.(ii) The greater of the full vertical extent of visually identifiable ballast or a depth of 18 inches as measured from the current reference elevation of the top of the ground along the centerline of the roadbed within the 1955 abandonment that extends from approximately 1200 feet west of MM 16.6 shall be removed along the roadbed to a width of 10 feet as shown on the RAD Drawings. The reference elevation for purposes of determining the excavation grade shall be obtained at 100 foot spacings along the existing centerline of the roadbed over the length of the 1955 abandonment.

2.4.3.3.i.(iii) Ballast and other Mine Wastes shall be removed in the former rail bed/siding area south of the 1955 abandonment to a depth of 6 inches and width of 10 feet from the existing ground surface in the removal area as shown on the RAD Drawings.

2.4.3.3.j. A 10 foot wide gravel trail surface meeting the specifications in the PMPS shall be placed within the footprint of the mainline ballast removals from ROW MM 16.9 to the asphalt-barrier transition near ROW MM 30.1 in Harrison, as shown on the RAD Drawings.

2.4.3.4 Other Removals and Disposal Component of Work: In addition to the removals described above, additional selected removals shall be performed in certain localized areas of the ROW (primarily residential areas):

2.4.3.4.a. Mullan: Within that portion of the Mullan main line as shown on the RAD Drawings the main line ballast shall be removed to a depth of 21 inches measured from the current (prior to track salvage) reference elevation of the top of the ties along the centerline of the track. The reference elevation for purposes of determining the excavation grade shall be obtained at 50 foot spacings along the centerline of the track over the length of the Mullan mainline removal area.

2.4.3.4.b. Osburn: In addition to the siding ballast material, soils within the ROW as shown on the RAD Drawing shall be removed in accordance with the requirements specified within the RA Work Plan and the RAD Drawings.

2.4.3.4.c. Structure Removals: Loading dock structures located within the ROW shall be removed as specified within the RA Work Plan and the applicable RAD Drawings

2.4.3.4.d. Tie Dumps and Debris Accumulations: Several locations along the ROW have been identified as containing railroad ties and other debris accumulations that were removed from the mainline or sidings at some time in the past. The performance standards for removal of these areas are as follows:

2.4.3.4.d.(i) The accumulations of ties and other debris accumulation that are shown on the applicable RAD Drawings shall be excavated and disposed of in accordance with the disposal requirements specified in Section 2.1.7.

2.4.3.4.d.(ii) Excavation of these areas shall be to a depth of 18 inches below the bottom of the lowest encountered tie or debris as shown on the applicable RAD Drawings.

2.4.3.4.d.(iii) Removals of tie dumps and debris accumulations within wetlands and surface water bodies shall be performed in accordance with the controls specified in the Wetlands Plan.

2.4.3.4.d.(iv) The Settling Parties have made a good faith effort to locate all tie dumps and debris accumulations along and adjacent to the UPRR ROW. They acknowledge that despite these efforts all tie dumps and debris accumulations may not have been located. If additional tie dumps or debris accumulations are located during performance of the Work, they shall be removed as specified above.

2.4.3.4.e. Miscellaneous Debris Removals: In addition to tie dumps and debris accumulations UPRR shall also remove individual pieces of ties that exceed a nominal 9 inches measured in any dimension and other debris that exceeds a nominal six inches measured in any dimension. This removed material shall be disposed of in accordance with the disposal requirements specified in Section 2.1.7. Excavation below these individual pieces of ties or debris (as opposed to the tie and debris accumulations specified in Section 2.4.3.4.d) is not required unless there is visual evidence of suspected contamination associated with the individual pieces of ties or debris.

2.4.3.4.f. Area at MM 18.54: An apparent spill area has been identified within the ROW near MM 18.54. This location shall be addressed as follows:

2.4.3.4.f.(i) The area of the apparent spill as shown on the RAD Drawings shall be excavated to a depth of 12 inches. The excavated material shall be disposed of in accordance with the disposal requirements specified in Section 2.1.7.

2.4.3.4.f.(ii) The excavation shall be graded and backfilled as necessary with clean material meeting the specifications within the PMPS for vegetated barrier soils. The disturbed area shall be re-vegetated as specified within the RA Work Plan.

2.4.3.4.g. Previously Unidentified Hazardous Substance Release Areas: If other previously unidentified, locations of releases of hazardous substances resulting from prior rail road operations are discovered during implementation of various elements of work such areas shall be addressed as follows:

2.4.3.4.g.(i) Unless otherwise approved by the Governments, the location shall be sampled and the samples analyzed in accordance with a sampling and analysis plan that is subject to the review and approval of the Governments.

2.4.3.4.g.(ii) Based on the sampling and analytical results and consultation with the Governments UPRR shall make an evaluation as to whether any follow-up action is required for the area. If the evaluation indicates that additional activities, consistent with the Scope of the Response Action as defined within Paragraph 33, Section VI of the CD, is necessary (i.e. removals, placement of protective barriers, etc.), a plan for implementation of the response activities shall be developed. The evaluation and plan shall consider the type of material found, concentration in the affected area, available site access, and potential impact on the surrounding communities and the environment.

2.4.3.4.g.(iii) The evaluation and proposed plan of action, including all related analytical data results from the sampling shall be provided to the Governments no

later than 60 calender days from data collection. The response action for the area shall be subject to the review and approval of the Governments.

2.4.3.4.g.(iv) If the Settling Parties cannot agree upon a response action for addressing such previously unidentified release areas, resolution of the disagreement shall be subject to the dispute resolution provisions of Section XX of the CD.

2.4.3.4.h. Previously Unidentified Concentrate Accumulations: Visually identifiable accumulations of ore concentrate material that are found during implementation of the Removal, Disposal, and Protective Barriers Element of Work shall be removed and properly disposed of as specified in Section 2.2.3.10.

2.4.3.5 Asphalt Barrier Component of Work: The performance standards for the asphalt barrier component of work are as follows:

2.4.3.5.a. Asphalt barriers shall be placed within the ROW at the locations and in the manner specified within the applicable RAD Drawings and the RA Work Plan.

2.4.3.5.b. The asphalt barrier shall meet the specifications included in the PMPS and consist of a minimum 2.5 inch thick hot mix asphaltic concrete pavement (ACP) underlain by a minimum 4 inch thick compacted base coarse aggregate. Shoulder gravel shall be placed adjacent to the asphalt barrier as specified within the RA Work Plan and RAD Drawings.

2.4.3.5.c. The asphalt barrier shall be 10 feet in width unless otherwise specified on the RAD Drawings.

2.4.3.5.d. Within remote areas of the ROW, the combined width of the asphalt barrier and shoulder gravel shall cover the main rail bed ballast as described below. Except where otherwise limited by physical features (e.g. dense vegetation, steep slopes, causeway sections. etc.), coverage of the ballast shall be performed by extending a six inch thick layer of shoulder gravel over the lateral width of the ballast up to a maximum of 5 feet from either side of the edge of the asphalt. Accumulations of ballast outside of a 10-foot wide distance measured either side of the centerline of the asphalt barrier (thereby giving a total width of 20 feet) will be addressed if the Settling Parties agree that such accumulations should be addressed. If the Settling Parties cannot agree, resolution of the disagreement shall be subject to the the dispute resolution provisions within Section XX of the CD. Downstream of the

BHSS, consolidation of ballast beneath a combined asphalt barrier and shoulder gravel width that is less than 20 feet will be allowed. Upstream of the BHSS this consolidation option shall not be allowed unless otherwise approved by the Governments.

2.4.3.6 Gravel and Vegetated Barriers Component of Work: The performance standards for the gravel and vegetated soil barrier component of work are as follows:

2.4.3.6.a. General Requirements

2.4.3.6.a.(i) Gravel and vegetated barriers shall be placed within the ROW at the locations and in the manner specified within the applicable RAD Drawings and the RA Work Plan.

2.4.3.6.a.(ii) The gravel or vegetated barriers shall be used at all siding locations as shown on the applicable RAD Drawings.

2.4.3.6.a.(iii) The gravel or vegetated barriers shall be used in the residential areas of the ROW at the locations specified within the RAD Drawings.

2.4.3.6.a.(iv) The specific choice of gravel or vegetated barrier at a given location shall be as specified on the applicable RAD Drawings.

2.4.3.6.a.(v) Barriers shall be used at specific road crossings as specified in the RAD Drawings.

2.4.3.6.b. Material requirements

2.4.3.6.b.(i) Gravel barrier shall consist of clean gravel material meeting the requirements specified in the PMPS and shall be either six inches or 12 inches in minimum thickness depending upon use considerations in the area of the gravel barrier placement as specified below and in the RAD Drawings.

2.4.3.6.b.(ii) Visual markers shall be installed beneath all gravel barriers, except where the gravel barrier underlies an asphalt barrier or shoulder gravel that has been installed as part of the Work. These markers shall meet the material and installation requirements specified in the PMPS and applicable RAD Drawings.

2.4.3.6.b.(iii) The vegetated barrier shall consist of clean soil meeting the requirements specified in the PMPS and shall be either six inches or 12 inches in minimum thickness depending upon use considerations in the area of the vegetated barrier placement as specified in the RAD Drawings.

2.4.3.6.b.(iv) The vegetated barrier shall be hydro seeded as specified within the PMPS.

2.4.3.6.c. Lateral dimensions and thickness requirements for the barriers

2.4.3.6.c.(i) The width of barriers in residential and siding areas shall extend laterally over the FROWW as specified within the RAD Drawings.

2.4.3.6.c.(ii) The length of residential area barriers shall extend along the ROW for a distance of 1,000 feet beyond the last residence in a community as shown on the RAD Drawings. Within the community and for a distance of 500 feet beyond the last residence, the barrier thickness shall be a minimum of 12 inches as shown on the RAD Drawings. In the portion of the ROW that is greater than 500 feet from the last residence (i.e., further than 500 feet but less than 1,000 feet beyond the last residence), the barrier thickness shall be a minimum of 6 inches, as shown on the RAD Drawings.

2.4.3.6.c.(iii) The specified length of residential barriers shall be measured from the point of intersection of the ROW centerline and a perpendicular line from the ROW to the outermost edge of the last residential house in the community.

2.4.3.6.c.(iv) Siding area barriers in remote areas shall extend a length of 1,000 feet or the length of the siding, whichever is shorter, as shown on the applicable RAD Drawings. Remote area siding barriers shall be a minimum of 12 inches in thickness.

2.4.3.6.c.(v) Barriers at road crossings shall be installed as specified in the RAD Drawings.

2.4.3.6.d. Rock Barriers shall be installed at the locations shown on the RAD Drawings. Such barriers shall meet the requirements specified within the PMPS.

2.4.3.7 Access Control Component of Work: The performance standards for the fencing and barriers component of work are as follows:

2.4.3.7.a. Fencing, bollards, barricades, gates and/or hostile vegetation shall be installed at locations within the ROW and in the manner specified on the RAD Drawings to control access to contaminated areas within and off of the ROW and to restrict unauthorized access onto the ROW.

2.5 Residential Use Areas Element of Work

2.5.1 General Description

The Residential Use Areas Element of Work will address contamination that may exist within areas of residential use that are occurring within the ROW. This element of work shall include verification sampling for existing contamination, removals of contaminated soils, and replacement of these soils with clean soil as appropriate. This Element of Work will be performed in accordance with a Residential Use Areas Work Plan that will be submitted as a deliverable in accordance with the schedule specified in Section 5 and is subject to the review and approval of the Governments.

2.5.2 Performance Objectives

The performance objectives of the Residential Area Element of Work are as follows:

- Identify areas of contamination within on-ROW areas that currently have a residential type use;
- Coordinate with the landowner and Governments on sampling and required actions;
- Remove identified areas of contamination;
- Restore the grade of removal areas by the placement of clean soil; and
- Restore vegetation.

2.5.3 Performance Standards

Performance standards for the Residential Use Areas Element of Work are as follows:

2.5.3.1 A Residential Use Areas Work Plan shall be submitted in accordance with the requirements of Sections 5 .

2.5.3.2 Except as noted in Section 2.5.3.3, all work conducted under this Element of Work shall be coordinated with the affected party.

2.5.3.3 UPRR shall not be obligated to provide for replacement of top soil, vegetation, or other aspects of a residential use area if the use is not in effect at the time of lodging of the CD; however, any such areas shall be addressed as specified within the requirements for the Gravel and Vegetated Barriers Component of Work specified in Section 2.4.3.6.

2.5.3.4 Each discreet residential use area, excluding the area covered by structures, shall be sampled at a frequency of one sample location per 500 square feet of area. Individual samples shall be taken at each sample location at intervals of 0 to 1, 1 to 6, 6 to 12, and 12 to 18 inches. Additional samples within Garden areas shall also be taken from 18 to 24 inches. All samples from a given depth interval for the discreet residential use area shall be composited and analyzed for determination of the 1,000 mg/kg lead threshold concentration. Sampling and analysis shall be conducted according to procedures specified within the Residential Use Areas Work Plan.

2.5.3.5 Based on the results of the use area soil sampling, for those residential use areas that exceed the 1,000 mg/kg lead action level, the extent of remediation will be determined as specified in Table 2.5.3-1.

2.5.3.6 All existing produce garden areas in remediated residential use areas will receive 24 inches of clean soil meeting the specifications for growth media specified for vegetative barriers within the PMPS.

2.5.3.7 The exact nature of each yard remediation shall be determined on a case-by-case basis through the process outlined in the Residential Use Areas Work Plan.

2.5.3.8 In all 12-inch removals, if the 12- to 18-inch sample exceeds 1,000 mg/kg lead, a visible marker meeting the specifications for visual marker within the PMPS shall be placed prior to backfilling with clean soil.

2.5.3.9 After replacement with clean fill, existing vegetated use areas shall be revegetated with sod. Improved contiguous use areas not currently serving as lawns shall be revegetated with native grasses.

2.5.3.10 Removed contaminated soils shall be disposed of in accordance with the disposal requirements specified in Section 2.1.7.

2.5.3.11 Remediated areas where the Governments determine that revegetation is not necessary may receive clean gravel instead of soil.

2.6 Trail Element of Work

2.6.1 General Description

The Trail Element of Work includes the installation of: oases, trail heads, and stop and view areas; amenities at these areas; the Plummer Junction extension; risk management advisory and safety signs; traffic/DOT Signs; and modifications and repair of bridges for use as a recreational trail. This Element of Work will be performed in accordance with several different work plans that will be submitted in accordance with the schedules specified in Section 5 and are subject to the review and approval of the Governments.

2.6.2 Performance Objectives

The objective of the Trail Element of Work are to:

- Provide facilities, signage, etc. that serve as part of the institutional controls for management of human health risk along the ROW;
- To provide safe, clean, protective trail and oases areas for recreational use; and
- Enhance the function of the corridor as a recreational trail.

2.6.3 Performance Standards

The performance standards for the various components of the Trail Element of Work are as follows

2.6.3.1 Trail Facilities Component of Work: The performance standard for this component of work is as follows:

2.6.3.1.a. UPRR shall provide and install the trail facilities identified in Table 2.6.3-1 attached. These trail facilities shall be installed at the approximate milepost locations shown in Table 2.6.3-1. The final location and configuration of these trail facilities shall be specified

in a Trail Work Plan that is subject to the review and approval of the Governments. Design criteria for the trail facilities shall be as follows:

2.6.3.1.a.(i) The trail facility shall be within the ROW.

2.6.3.1.a.(ii) The trail facility arrangement shall be such that the facility is functional for the intended use.

2.6.3.1.a.(iii) Except as otherwise specified within this SOW UPRR shall not be obligated to provide for new vegetation for landscaping purposes.

2.6.3.1.a.(iv) UPRR shall remove or over-paint graffiti on bridges, walls, or other structures within the ROW.

2.6.3.1.b. UPRR shall provide and install the appurtenant trail facility amenities (i.e. picnic tables, benches, etc.) identified in Table 2.6.3-1. These components shall comply with the specifications noted in Table 2.6.3-2.

2.6.3.1.c. UPRR shall implement control measures for Noxious Weeds in accordance with the PMPS one time prior to completion of the Trail Element of Work.

2.6.3.2 Traffic, Safety and Hazard Advisory, and Exposure Management Signage Component of Work: The performance standard for this component of work is as follows:

2.6.3.2.a. UPRR shall install Traffic/DOT signage to alert trail users and approaching vehicles in the number specified in Table 2.6.3-3. The signage shall be designed and installed in accordance with the AASHTO Guide for the Development of Bicycle Facilities.

2.6.3.2.b. UPRR shall install safety and hazard advisory signage in the number specified in Table 2.6.3-3.

2.6.3.2.c. UPRR shall install exposure management signage in the number specified in Table 2.6.3-3.

2.6.3.3 Bridge Component of Work: The performance standard for this component of work is as follows:

2.6.3.3.a. UPRR shall repair and modify all bridges and the Chatcolet timber approach structures within the ROW such that they are in good operating condition for use as part of the recreational trail. The

repair and modifications for all bridges (except the Chatcolet Swing Span) and the Chatcolet timber approach structures shall be performed in accordance with a Bridge Repair and Modification Work Plan that is subject to the review and approval of the Governments. The Chatcolet Swing Span shall be addressed as specified within Section 2.6.3.3.e. The Bridge Repair and Modification Work Plan will be one of several deliverables identified in Section 4 related to the bridges. The other bridge related work plans are identified in the following sections.

2.6.3.3.b. A bridge or the Chatcolet timber approach structure shall be determined to be in good operating condition after completion of all of the following requirements:

2.6.3.3.b.(i) An inspection of the bridges and the Chatcolet timber approach structures shall be performed by UPRR in accordance with procedures that are specified within a Bridge Inspection Work Plan that is subject to the review and approval of the Governments. UPRR may eliminate inspections of those bridges and the approach structures that were previously inspected by the Coeur d'Alene Tribe in 1999. The elements of the inspection procedures shall be as follows:

- The inspection program shall be performed under the supervision of a registered Professional Engineer in the State of Idaho.
- The inspections shall be performed by qualified inspectors in accordance with the National Bridge Inspection Standards.
- An inspection report for each bridge and the Chatcolet timber approach structures shall be prepared in a standard format that is generally consistent with the Federal Highway Administration or U.S. Forest Service standard procedures for bridge inspections.
- The inspection shall address both the condition of the bridge or timber approach structure, sub-structure, abutments, erosion conditions, and foundation.

- Each field report shall be evaluated by the supervising Professional Engineer. The evaluation will define any maintenance or repairs required to enable the bridge to carry the design load specified in Section 2.6.3.3.c. The final evaluation shall be certified and sealed by the supervising Professional Engineer.

2.6.3.3.b.(ii) The results of the bridge and Chatcolet timber approach structure evaluations specified in 2.6.3.3.b.(i) shall be compiled in a Bridge Inspection Report that is subject to the review and approval of the Governments.

2.6.3.3.b.(iii) In addition to any other repairs that may be identified in accordance with Section 2.6.3.3.b.(i) and (ii), the paint on steel bridges shall be repaired as follows:

- Paint that is chipped, flaking, or otherwise deteriorated over a contiguous area of 250 square inches shall be replaced.

- Replacement of paint shall occur in accordance with good engineering practice and standards that will be specified in the above Bridge Repair Work Plan which is subject to the review and approval of the Governments.

2.6.3.3.b.(iv) Any repairs that are identified as being required by: (1) the Bridge Inspection Report specified in Section 2.6.3.3.b(ii); (2) the Coeur d'Alene Tribe's bridge inspections if such bridges are not inspected as specified in Section 2.6.3.3.b(i); and (3) any paint repairs as specified in Section 2.6.3.3.b(iii) shall be performed by UPRR in accordance with a Bridge Repair and Modification Work Plan that is subject to the review and approval of the Governments.

2.6.3.3.b.(v) Any past flood debris that has accumulated within the bridge support structure has been removed in accordance with procedures specified within the Flood Damage Repair Work Plan.

2.6.3.3.c. The design load for the bridges shall be an AASHTO standard loading classification H20.

2.6.3.3.d. The bridges (except for the Chatcolet Swing Span) and the Chatcolet timber approach structures within the ROW shall be modified for use as part of the recreational trail in accordance with the Bridge Repair and Modification Work Plan. The Chatcolet Swing Span is addressed in Section 2.6.3.3.e.. Modifications shall meet the design criteria specified in the following:

2.6.3.3.d.(i) UPRR shall use either pre-cast concrete, treated wood, or other material approved by the Governments for the bridge decking.

2.6.3.3.d.(ii) The bridges shall be designed to allow for the following clearance between the safety rails:

- Twelve foot clearance between the safety rails for bridges located between Wallace and Mullan.
- Nine foot clearance for all other bridges.
- The above specified clearance shall only apply to the distance between the safety rails. The bridge decking design may be based on the assumption that the non-pedestrian loading of the bridge will occur within the central eight foot portion of the bridge width.

2.6.3.3.d.(iii) The bridge safety rails shall be designed to meet the following design criteria:

- The safety railing height shall be a minimum of 54 inches above the trail surface.
- The maximum clear vertical opening between horizontal rail elements shall be as follows:
  - Within a band bordered by the trail surface and a line 27 inches above the trail surface the vertical opening shall be a maximum of 6 inches.

- Within a band that is bordered by lines that are 27 and 54 inches above the trail surface the vertical opening shall be a maximum of 8 inches.

- The sizing of the rail components and spacing of the risers shall be selected to support a design loading of 50 pounds per linear foot, transversely and vertically, acting simultaneously on each longitudinal member.

- Provided that they meet the design requirements specified within this section, UPRR shall be allowed to use either steel or wood vertical risers with cable horizontal members or other materials approved by the Governments for the bridge railings.

2.6.3.3.d.(iv) The final design of the trail approaches to the bridges shall address potential safety issues by either extending and flaring the hand rails or providing some other measure to safely direct trail users onto the bridge.

2.6.3.3.e. At the Coeur d'Alene Tribe's discretion, UPRR shall either remove and replace the Chatcolet Swing Span with a fixed span bridge in accordance with Section 2.6.3.3.f or repair the existing Chatcolet Swing Span in accordance with Section 2.6.3.3.g. The Coeur d'Alene Tribe shall advise UPRR within thirty (30) days of the effective date of the CD which of these two alternatives it prefers. In the event that the Tribe prefers the fixed span alternative, UPRR agrees to implement that alternative in accordance with Section 2.6.3.3.f, consistent with any requirements imposed by the STB in connection with the abandonment proceeding, STB Docket No. AB-33 (sub - no. 70).

2.6.3.3.f. If elected by the Coeur d'Alene Tribe in accordance with Section 2.6.3.3.e the Chatcolet Swing Span shall be removed and replaced with a fixed span pedestrian bridge in accordance with the requirements specified within this Section 2.6.3.3.f. The design of the fixed span pedestrian bridge shall be provided in a Chatcolet Fixed Span Work Plan that is subject to the Governments review and approval prior to implementation

2.6.3.3.f.(i) The existing swing span structure shall be removed and replaced with a pedestrian fixed span bridge that meets the design requirements specified below. UPRR shall not be required to preserve the physical swing span structure; however, prior to removal, UPRR shall provide documentation of the bridge in-place through photography and other means as may be required by the Idaho State Historic Preservation Office (SHPO).

2.6.3.3.f.(ii) The design of the fixed span structure shall:

- Carry a design live load of 100 lbs. per square foot and any additional loading (static and dynamic) that may be imposed on the structure as determined in accordance with good engineering practice. The design should be based upon a rating for a two axle truck.
- Be designed to carry a lateral wind load that is consistent with IDOT requirements.
- Meet the current navigation requirements of the United States Coast Guard (USCG) and be subject to the review and approval of the Governments.
- If necessary for support, retain and augment the center pier.
- Provide the minimum opening and clear span above the water way as well as lighting and bumpers that may be required by the USCG to meet navigation requirements.
- Be a truss-type structure made of weathering steel and concrete deck.
- Have a clear trail width of at least 9 feet.
- Have pedestrian safety handrails that meet the requirements of the current AASHTO Guidance for Pedestrian Bridges.

- Have appropriate safety signage.
- Have an approach slope that is in compliance with the Americans with Disabilities Act requirements of a maximum of 1 foot vertical for every 12 feet horizontal.

2.6.3.3.g. If elected by the Coeur d'Alene Tribe in accordance with Section 2.6.3.3.e, the Chatcolet Swing Span shall be modified to meet the design criteria specified within this Section 2.6.3.3.g. The design of the modifications shall be provided in the Chatcolet Swing Span Work Plan that is subject to the Governments review and approval prior to implementation of the Chatcolet work.

2.6.3.3.g.(i) All bridge modifications for use as part of the recreational trail shall:

- Be consistent with the existing bridge architecture.
- Carry the design load specified in Section 2.6.3.3.c and any additional loading (static and dynamic) that may be imposed on the structure as a result of modifications of the drive structure.
- Shall meet the current navigation requirements of the United States Coast Guard and are subject to the review and approval of the Governments.

2.6.3.3.g.(ii) All controls, mechanical and electrical work shall meet the applicable National Building Code requirements.

2.6.3.3.g.(iii) The swing span mechanical and electrical system shall be designed to:

- Automatically close the bridge (allowing for trail access) up to four times a day with each closure being 2 hours in length.
- Provide for the automatic activation of alarms that would notify trail users of the impending operation of the bridge. The

alarms shall be audible within 1/4 mile of the bridge.

- Include appropriate fail safe mechanisms that prevent operation of the bridge unless all safety gates are in place.
- Provide an electronic signal alarm to trail operations and local enforcement agencies to notify them of malfunctioning fail-safe mechanisms.
- Provide for emergency communication both at the bridge approaches and on the bridge.
- Provide for manual operation.

2.6.3.3.g.(iv) Gates and other deterrents to unauthorized access of the bridge workings shall be provided.

2.6.3.3.g.(v) UPRR shall provide a detailed Operations and Maintenance Manual including applicable warranties; schedule of parts and equipment; process instrumentation and electrical diagrams; scheduled repairs and replacements; and complete operating and maintenance instructions.

2.6.3.4 Plummer Junction Trail Extension Component: The performance standards for this component of work are as follows:

2.6.3.4.a. UPRR shall provide and install a 10 foot wide trail extension from the ROW MM 16.6 near Plummer Junction to the Highway 95 as shown on the RAD Drawings subject to the following conditions: (1) UPRR can, using best efforts, either obtain easements for or acquire any portions of the trail extension alignment from MM 16.6 to the eastern boundary of allotment A138 that it does not own; and (2) the Coeur d'Alene Tribe acquires and provides to UPRR all necessary easements, access agreements, etc., that may be required along that portion of the trail extension alignment that begins at the eastern boundary of allotment A138. Easements that are to be provided by the Coeur d'Alene Tribe shall be provided at least 60 days prior to the scheduled start of the Coeur d'Alene Reservation trail construction as specified in the Project Construction Schedule. If the Coeur d'Alene Tribe fails to provide the easements, access agreements, etc., for which they are responsible within the time frame specified or if UPRR is unable, using their best efforts, to obtain any necessary easements or access agreement for which they

are responsible, the trail extension shall be terminated at MM 16.6. In such an event UPRR shall pay to the Coeur d'Alene Tribe $125,000 which is the estimated cost of the trail extension.

Final details of the trail extension shall be specified in the Trail Work Plan and be subject to the review and approval of the Governments.

2.6.3.4.b. UPRR shall provide a bridge or other appropriate crossing structure for the trail extension over Plummer Creek. The final location shall be as specified in the Trail Work Plan. The crossing shall provide the following:

2.6.3.4.b.(i) The crossing structure shall be designed to support an AASHTO H20 loading.

2.6.3.4.b.(ii) The opening for Plummer Creek shall be sufficient to allow for the passing of a 25 year frequency, 24 hour duration storm event with 2 feet of freeboard.

2.6.3.4.b.(iii) The crossing shall have safety railings that are designed in accordance with the criteria in Section 2.6.3.3.d.

2.6.3.4.b.(iv) The crossing shall have a clear horizontal opening between the safety rails of 10 feet.

2.6.3.4.b.(v) The crossing shall have appropriate scour protection to protect the substructure and adjacent banks.

2.6.3.4.b.(vi) The bridge crossing surface shall be a non-slip surface appropriate for use by pedestrians and equestrians.

2.6.3.4.c. UPRR shall provide all necessary drainage structures (culverts and ditches) to allow runoff to cross beneath the trail to Plummer Creek during storm events without damaging the trail surface.

2.6.3.4.d. UPRR shall provide the appropriate modifications to existing large-diameter culverts crossing beneath the active rails to allow safe pedestrian and equestrian passage. This will include grates, signage, grading, and other safety appurtenances. The final detailed configuration of the improvements to these culverts shall be as specified in the Trail Work Plan.

2.7 Maintenance and Repair Element of Work

2.7.1 General Description

The Maintenance and Repair (M&R) Element of Work represents the long-term maintenance of the protective barriers, rail bed embankments that provide a foundation for the trail portion of the ROW, and future placement of access controls that may become necessary to restrict access onto and off of the trail for purposes of managing exposure and protection of barriers. The implementation of maintenance and repair activities will be performed in accordance with the procedures specified in the M&R Plan, Attachment E to this SOW.

2.7.2 Performance Objectives

The performance objectives of the M&R Element of Work are to:

- Preserve the integrity of the protective barriers that will be installed as part of the response action through maintenance and repair;
- Maintain and repair the rail bed embankments that provide a foundation for the trail;
- Provide for future access controls that may be necessary to restrict access onto and off of the trail for purposes of managing exposure and protection of barriers; and
- Provide for a record of maintenance and repair activities performed and the cost of those activities.

2.7.3 Performance Standards

The performance standards for the M&R Element of Work are as follows:

2.7.3.1 M&R activities shall be performed in accordance with the requirements specified within the M&R Plan and this Section 2.7.

2.7.3.2 Unless otherwise approved by the Governments, UPRR shall conduct monthly, semi-annual, and storm event driven inspections of the ROW features as specified in M&R Work Plan. The Governments shall be notified at least 7 calendar days before the commencement of monthly and semi-annual inspections. The Governments shall also be notified before the commencement of storm event inspections

2.7.3.3 UPRR shall perform routine maintenance activities as follows:

2.7.3.3.a. Semi-annual maintenance and repair that is determined, in accordance with the M&R Plan, to be necessary as a result of the semi-annual inspections shall be performed as specified in the M&R Plan.

2.7.3.3.b. If the monthly or storm event inspections specified in the M&R Plan find or if the Governments notify UPRR of conditions defined in the M&R Plan that represent indications of actual or imminent barrier failure that requires a response before the next scheduled semi-annual scheduled maintenance and repair activities, then such repair shall be performed in accordance with the M&R Plan.

2.7.3.4 UPRR shall repair non-routine damage of embankments or protective barriers in accordance with a work plan that is subject to the review and approval of the Governments. For purposes of this SOW, non-routine damage shall be damage to protective barriers or embankments within the trail corridor for which there is not a prescribed repair specified within the M&R Plan. Any such non-routine damage repair shall restore the damaged protective barriers and embankments to a condition that is consistent with the RA Work Plan and the FDR Work Plan.

2.7.3.5 UPRR shall repair flood damage to bridge structures, the Chatcolet timber approach structures, and the support structures for the Chatcolet fixed span that results in the bridge or timber approaches being no longer safely passable by trail users or trail maintenance vehicles. Such repairs shall be performed as specified in the M&R Plan. As part of the obligation for such flood damage repair, UPRR shall inspect the bridge structures, the Chatcolet timber approach structures, and the support structures for the Chatcolet fixed span as specified in the M&R Plan for accumulations of flood debris. If flood debris accumulate within the bridge structures, the Chatcolet timber approach structures, or the support structures for the Chatcolet fixed span such that, in the sole opinion of UPRR, the accumulations could result in flood damage (as defined within this Section 2.7.3.5) to the bridge structures, the Chatcolet timber approach structures, or the support structures for the Chatcolet fixed span during subsequent flood events, the debris shall be removed and properly disposed of. UPRR shall undertake such activities in consultation with the Governments.

2.7.3.6 UPRR shall maintain and repair the portion of the asphalt trail including the shoulder gravel within the BHSS in the same manner as that specified within the M&R Plan for the portion of the asphalt trail that is outside of the BHSS.

2.7.3.7 UPRR shall either repair or replace access controls that are damaged such that their intended function is impaired. UPRR's obligation for such repair or replacement shall not extend beyond the first three years after Completion of the Removals, Disposal, and Protective Barriers Element of

Work as specified in Section 5. UPRR shall install any additional access controls that are determined to be necessary by the annual review described in Section 2.7.3.11.f.

2.7.3.8 UPRR shall, as part of long-term oversight, reimburse the Governments for the replacement of traffic, safety and hazard advisory, and exposure management signs that are installed in accordance with Section 2.6.3.2. Such reimbursement shall be in accordance with the requirements of Paragraph 74, Section XVI of the CD.

2.7.3.9 UPRR shall provide for surface sealing and resurfacing of the asphalt trail surface in accordance with the following requirements:

2.7.3.9.a. The asphalt surface shall have a surface seal applied every five years beginning five years after the date for the Completion of the Removals, Disposal, and Protective Barriers Element of Work specified in Section 5 unless UPRR makes a demonstration, subject to the review and approval of the Governments, using accepted engineering practices that such a seal is not required. In the event that the surface seal is deferred within any given five year increment, the demonstration that provided the basis for the deferment shall be reviewed each year until a surface seal is applied. The review will be made by UPRR and shall be subject to the review and approval of the Governments. The review will evaluate whether the conditions of the asphalt have changed such that the justification for the deferring the surface seal is no longer valid. If the review within a given year indicates that the surface seal should no longer be deferred then the surface seal shall be applied in that year. The subsequent five year period for the next required application of a surface seal shall start in the year in which the seal is applied.

2.7.3.9.b. The asphalt shall be resurfaced once every 20 years beginning 20 years after the date for the Completion of the Removals, Disposal, and Protective Barriers Element of Work specified in Section 5 unless UPRR makes a demonstration, subject to the review and approval of the Governments, using accepted engineering practices that such resurfacing is not required. In the event that the resurfacing is deferred within any given 20 year increment, the demonstration that provided the basis for the deferment shall be reviewed each year until the resurfacing is applied. The review will be made by UPRR and shall be subject to the review and approval of the Governments. The review will evaluate whether the conditions of the asphalt have changed such that the justification for the deferring the resurfacing is no longer valid. If the review within a given year indicates that the resurfacing should no longer be deferred then the resurfacing shall be applied in that year. The

subsequent 20 year period for the next required resurfacing shall start in the year in which the resurfacing is applied.

2.7.3.10 Notwithstanding any other requirements of this Part 2.7, except for those failures that may result in a threat to human health as determined by the Governments, repairs within one-half mile of active eagle's nests shall only be performed during the period of August 1 through January 31.

2.7.3.11 UPRR shall prepare and submit an Annual Maintenance and Repair Summary report of M&R activities to the Governments each year in accordance with the schedule specified in Section 5.9. Such reports shall provide the following information for each reporting period:

2.7.3.11.a. Records of the monthly, semi-annual, and storm event inspections that were conducted during the reporting year.

2.7.3.11.b. A summary description of the maintenance and repair activities performed during the reporting year. The summary description shall also include a summary of the cost of the maintenance and repair. The cost shall be itemized by labor, equipment, and materials for each type or category of repair (i.e. embankment erosion).

2.7.3.11.c. Identification of areas that have required repeated repairs of the same type.

2.7.3.11.d. A summary description of the maintenance and repairs performed during the year.

2.7.3.11.e. Repair records included in the annual summary reports shall contain quantitative information including mile markers for the repair locations, nature of the repair, unit cost of materials, and duration of repair activity at each location.

2.7.3.11.f. An evaluation of where access controls may be needed to restrict access to off-trail contaminated areas at which a response action has not been implemented or to limit access onto the ROW for purposes of maintaining the integrity of the protective barriers.

2.7.3.11.g. An evaluation of the effect of any general loss in barrier thickness on the performance of the barrier in protecting human health.

2.7.3.12 UPRR shall review the effectiveness of the response action as specified in Paragraph 36, Section VII of the CD no less often than every five years after the certification of the Completion of Obligation reports for Elements of Work except the Maintenance and Repair. The review will follow the applicable guidance for performing five year reviews specified in OSWER

Directives 9355.7-03A, 9355.7-02A, 9355-02, 9355.7-02FS1, and 9355.7-03B-P. The five year review shall make a risk-based assessment of the performance of the response action relative to the protection of human health and the environment. Any further response actions that may be identified as a result of the five year review shall be in accordance with Section VII of the CD.

2.7.3.13 If UPRR elects to complete all Elements of Work (except Maintenance and Repair) or portions thereof as provided for in Section 1.4.17 in the Upper Basin and obtain the Governments certification of such completion, then UPRR shall commence the start of the Maintenance and Repair Element of work within the Upper Basin as specified in Section 5.

2.7.3.14 UPRR shall commence the start of the Maintenance and Repair Element of Work for all portions of the ROW, including the Upper Basin if such work has not already commenced under Section 2.7.3.13, as specified in Section 5 when UPRR receives the Governments approval of a Completion of Obligation Report for each Element of Work except Maintenance and Repair.

2.7.3.15 Notwithstanding any other requirements of this Section 2.7.3 UPRR shall not be obligated to perform any repair of any damage that is caused solely by the actions of the Governments or their representatives or agents. In addition, UPRR shall not have any responsibility for repairs that arise from any future response action or restoration activities not conducted by UPRR within or adjacent to the ROW. UPRR shall have the burden of proving that any such damages were caused solely by actions of the Governments or their representatives or agents.

3.0 DESCRIPTION OF PLANS AND REPORTS

This Section sets forth a description of the types of information that should be included in the plans and reports listed below. It is intended to provide a framework for developing such plans and reports. The descriptions provided in this Section should not be construed as a prescriptive limitation or requirement on the content. The Governments may require other information in its review of the deliverables and other documents prepared by UPRR under this SOW. Unless otherwise specified, the description is not meant to distinguish between draft and final versions of the documents.

3.1 Work Plans

The Work Plans that are to be submitted as deliverables under this SOW represent the overall plan to implement, control, and guide the tasks and activities of the respective Components and Elements of Work addressed by these plans. These Work Plans should include the following information:

- General introduction including:
  - A description of the work location.
  - General site setting, including topography, drainage, hydrogeology, and geology.
  - Background including overview of the history of the rail line contamination, construction and operation as it relates to the development of the response actions covered by the Work Plan.
  - Purpose and scope of that portion of the Work being addressed by the Work Plan.
  - Performance Objectives and Standards applicable to that portion of the Work being addressed by the Work Plan.
  - To the extent applicable, the method of demonstrating compliance with the performance standards.
- Overall technical approach, objective, schedule, and process for undertaking, monitoring, and completing the Components and Elements of Work.
- Specific BMP requirements for any construction activities to minimize migration of contaminants during construction.
- Spill prevention and control procedures as applicable.
- Sampling and analysis plan as applicable.
- Summary description of the deliverables, milestones events, and reporting requirements, and cross-references to other documents, as appropriate.

- Site map and other relevant figures, tables, and graphs as applicable.
- Appropriate references to Health and Safety Requirements as applicable.

3.2 Technical Memorandum

In accordance with Section 1.4.5 , a Technical Memorandum ("TM") is the mechanism for requesting modifications to: final plans, designs, reports, and schedules developed under this SOW; to the Work being performed under this SOW; or for waivers to ARARS. A TM should include the following information:

- General description of and purpose for the modification.
- Drawings as applicable.
- Justification, including any calculations, for the modification or waiver request.
- Tasks and activities to be performed to implement the modification, including any actions associated with related subsidiary documents, milestone events, tasks, or activities affected by the modification.
- Effect that the modification may have on schedules, future milestones, deliverables and other documents, tasks, activities, or other Work performed under this SOW.
- Recommendations.
- Analyses, data, and other information used to support the modification or waiver request and any proposed recommendations.

3.3 Initiation of Operation Report

The Initiation of Operation Report serves as UPRR's notification of and documentation supporting the commencement of a particular Element of Work, as applicable, under Section 5. The Report should include all relevant analyses, data, and other information used to support UPRR's contention that the particular Element of Work has begun at the time specified by UPRR.

3.4 Completion of Obligation of an Element of Work Report

The Completion of Obligation Report shall be submitted in accordance with the schedule specified in Section 5. The content of the report shall comply with the requirements specified in Section 1.4.17 of this SOW and Section XIV of the CD. This Report should include the following information:

- Overall description of the Report, including purpose and a general description of the portion of the Work covered by the Report and the associated Element of Work. The general description

shall include a description of the Work that was undertaken, objectives, period of operation, and Performance Standards.

- Findings and results of the pre-certification inspection, including documentation supporting the conclusion that the Performance Standards, as specified within this SOW, have been attained.
- Certification of construction completion (if applicable) including:
  - A completed punch list from the inspection of the completed construction;
  - A certification (as applicable) by a registered Professional Engineer that construction activities have been completed according to the final design.
  - A Construction As-Built Report (if applicable) that includes the following information:
    - As-built drawings and specifications, signed and stamped by a registered Professional Engineer.
    - QA/QC records (as applicable).
    - Summary of any modifications.
- Cross-references to relevant or specific information contained in other documents, as appropriate.
- A statement, in the form specified by Section XIV of the CD, by a registered Professional Engineer and UPRR's Project Coordinator that the portion of the Work has been completed in full satisfaction of the requirements of the CD.

3.5 Completion of the Work Report

This report shall be submitted after all phases of the Work have been fully performed, as set forth in Paragraph 70, Section XIV of the CD. The Report shall include the certification statements required by Section XIV of the CD.

3.6 Monthly Progress Reports

The Monthly Progress Reports shall be a consolidated status report on all Work. The Reports shall include the following basic information as applicable.

- Introduction, including the purpose and general description of the Work currently being conducted during the month covered by the report.

- Activities/tasks undertaken during the reporting period, and expected to be undertaken during the next reporting period.
- Deliverables and milestones completed during the reporting period, and expected to be completed during the next reporting period.
- Identification of issues and actions that have been or are being taken to resolve the issues.
- Status of the overall Project Schedule and any proposed schedule changes.
- Monthly inspection reports generated during the Maintenance and Repair Element of Work. These reports will include:
    - Inspection checklists from the previous months inspection.
    - Repairs categorized by location and type that were performed during the previous month.
    - Repairs categorized by location and type that need to be performed during the current month and a schedule for performing those repairs.

3.7 Quarterly Progress Report

The Quarterly Progress Report is a consolidated status report on all Work conducted during the reporting period quarter and to be undertaken in the following quarter(s) by UPRR. The Report should be separated into sections reflective of the individual Elements of Work. It should include the following information:

- Description of the Work that was performed during the quarter covered by the report, and master schedule.
- Activities/tasks undertaken during the reporting period, and expected to be undertaken during the next reporting period.
- Deliverables/milestones completed during the reporting period, and expected to be completed during the next reporting period.
- Identification of issues and actions that have been or are being taken to resolve the issues.
- TMs submitted.
- Schedules and schedule changes.
- Evaluation of the effectiveness of the Work being performed in terms of meeting the Performance Standards. Include data and analytical and statistical methods used to support the evaluation.

- Recommendations for corrective measures needed, if any, to meet the Performance Standards.
- The most recent semi-annual inspection reports generated during the Maintenance and Repair Element of Work. These reports will include:
    - Inspection checklists from the previous semi-annual inspection.
    - Repairs categorized by location and type that were performed during the previous quarter.
    - Repairs categorized by location and type that need to be performed during the current quarter and a schedule for performing those repairs.

3.8 Annual Maintenance and Repair Summary Report

The Annual Maintenance and Repair Summary report shall include the information specified in Section 2.7.3.11.

3.9 Project Quality Assurance/Quality Control Plan

The Project Quality Assurance/Quality Control (QA/QC) Plan establishes the overall quality assurance and quality control tasks, activities, and procedures associated with the Work to be performed by UPRR. The plan should conform to EPA Guidance, including "Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans" December 1980, (QAMS-005/80 and EPA QA/G5); "Data Quality Objective Guidance", (EPA/540/G87/003 and 004 and QA/R-5) and any updates thereto. The plan should include the following information as applicable:

- Introduction, purpose and summary description of the Work to be performed by UPRR.
- Laboratory QA/QC procedures as applicable including:
    - Data quality objectives;
    - Sampling and sample custody procedures;
    - Analytical methods and procedures;
    - Data reduction and validation;
    - Control procedures, including internal quality control checks;
    - Audits;

- Routine procedures to assess data quality;
- Corrective action procedures; and
- Data transmission to the Governments.

- Construction related QA/QC including:
  - QC test frequency, methods, and requirements;
  - Performance testing frequency, methods, and requirements;
  - Acceptance criteria;
  - Criteria for re-testing;
  - Corrective action;
  - Pre-testing notification requirements to the Governments;
  - QA test frequency and methods; and
  - Submittals, review, and transmittal procedures.
- Record keeping and reporting
- Project meetings

3.10 Sampling and Analysis Plan

Any required Sampling Plan should establish the overall sampling tasks, activities, and procedures and protocols associated with the Work to performed by UPRR. The Plan should conform to EPA guidance and include the following information:

- Introduction, including purpose and summary description of the Work to be performed by UPRR.
- Sampling rationale and objectives.
- Sample designation plans and procedures.
- Sampling equipment and sampling, preservation, preparation and cleaning procedures.
- Chain-of-custody procedures, and conformance with EPA procedures.
- Record keeping, reporting and transmittal procedures.

4.0 DELIVERABLES

This section specifies those deliverables and initiation and completion milestones for various Elements of Work that are subject to stipulated penalties under Paragraph 109, Section XXI of the CD. The required deadlines for these submissions or milestones are specified in Section 5. The CD and this SOW may require the submission of additional documents and additional milestone events, not listed herein.

4.1 General

- Revised Section 5 of SOW showing actual dates for scheduled items that are dependent on lodging.
- Revised Section 5 of SOW showing actual dates for scheduled items that are dependent on STB approvals.
- Final Project Construction Schedule
- Final Project QA/QC Plan
- Project Health and Safety Plan
- Monthly Progress Reports
- Quarterly Progress Reports
- Final Second Annual Updated Project Construction Schedule

4.2 Salvage of Track, Ties, and Other Track Material Element of Work

- Final Access and Staging Plan
- Commence Start of the Salvage of Track, Ties, and Other Track Material Element of Work
- Initiation of Operation Report for the Salvage of Track, Ties, and Other Track Material Element of Work
- Completion of the Salvage of Track, Ties, and Other Track Material Element of Work
- Pre-certification Inspection for the Salvage of Track, Ties, and Other Track Material Element of Work
- Completion of Obligation Report for the Salvage of Track, Ties, and Other Track Material Element of Work

4.3 Flood Damage Repair Element of Work

- Completion of the Flood Damage Repair Element of Work
- Pre-certification Inspection for the Flood Damage Repair Element of Work
- Completion of Obligation Report for the Flood Damage Repair Element of Work

4.4 Removals, Disposal, and Protective Barriers Element of Work

- Final Removal Characterization Sampling and Analysis Plan
- Final Reservation Mine Waste Removal Plan
- Commence Start of the Removals, Disposal, and Protective Barriers Element of Work except for the Coeur d'Alene Reservation Removals and Disposal Component of Work
- Initiation of Operation Report for the Removals, Disposal, and Protective Barriers Element of Work except for the Coeur d'Alene Reservation Removals and Disposal Component of Work
- Commence Start of the Coeur d'Alene Reservation Removals and Disposal Component of Work
- Initiation of Operation Report for the Coeur d'Alene Reservation Removals and Disposal Component of Work
- Optional Pre-certification Inspection for that portion of the Removals, Disposal, and Protective Barriers Element of Work within the Upper Basin (This item shall only be a deliverable if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)
- Optional Completion of Obligation Report for that portion of the Removals, Disposal, and Protective Barriers Element of Work within the Upper Basin (This item shall only be a deliverable if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)
- Completion of all components of the Removals, Disposal, and Protective Barriers Element of Work
- Pre-certification Inspection for all remaining portions of the Removals, Disposal, and Protective Barriers Element of Work for which a Pre-certification Inspection has not been previously requested

- Completion of Obligation Report for all remaining portions of the Removals, Disposal, and Protective Barriers Element of Work for which a Completion of Obligation Report has not been previously requested

4.5 Residential Use Areas Element of Work

- Final Residential Use Areas Work Plan
- Commence Start of the Residential Use Areas Element of Work
- Initiation of Operation Report for the Residential Use Areas Element of Work
- Completion of the Residential Use Areas Element of Work
- Pre-certification Inspection for the Residential Use Areas Element of Work
- Completion of Obligation Report for the Residential Use Areas Element of Work

4.6 Trail Element of Work

- Final Trail Work Plan
- Final Bridge Inspection Work Plan
- Final Bridge Inspection Report
- Final Bridge Repair and Modification Work Plan
- Final Chatcolet Fixed Span Work Plan or Chatcolet Swing Span Work Plan depending upon the Coeur d'Alene Tribe's election in Section 2.6.3.3.e.
- Optional Pre-certification Inspection for that portion of the Trail Element of Work within the Upper Basin (This item shall only be a deliverable if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)
- Optional Completion of Obligation Report for that portion of the Trail Element of Work within the Upper Basin (This item shall only be a deliverable if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)
- Completion of the Trail Element of Work

- Pre-certification Inspection for all remaining portions of the Trail Element of Work for which a Pre-certification Inspection has not been previously requested

- Completion of Obligation Report for all remaining portions of the Trail Element of Work for which a Completion of Obligation Report has not been previously requested.

4.7 Maintenance and Repair Element of Work

- Commence the Start of the Maintenance and Repair Element of Work for the Upper Basin portion of the ROW (This item shall only be a deliverable if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)

- Commence the Start of the Maintenance and Repair Element of Work on all portions of the ROW

- Initiation of Operation Report for the Maintenance and Repair Element of Work on all portions of the ROW

- Annual Maintenance and Repair Summary Report

4.8 Completion of Work Report

5.0 OVERALL PROJECT SCHEDULE

This section provides schedules required of UPRR for the deliverables and initiation and completion of elements of work set forth in Section 4. This section also specifies schedules for other submissions and milestone events as well as goals for the Governments review.

5.1 Cooperation

The Settling Parties agree to discuss issues and concerns as necessary prior to submission of documents and comments.

5.2 Timely Review

The Governments shall make good faith efforts to meet the goals for their review set forth below.

5.3 General Deliverables and Scheduled Items

Activity	Scheduled Deadlines
Revised Section 5 of SOW showing actual dates for scheduled items that are dependent on lodging	To be submitted within 3 weeks after lodging of the CD
Revised Section 5 of SOW showing actual dates for scheduled items that are dependent on STB approvals	To be submitted within 2 weeks after receipt by UPRR of STB approvals.
Submit Draft Project Construction Schedule	To be submitted by the later of: (1) May 1, 2000; or (2) 2 weeks after STB approval of abandonment and the CITU.
• Governments Review of the Draft Project Construction Schedule	To be completed within 3 weeks after receipt by the Governments
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Project Construction Schedule	To be submitted within two weeks of receipt by UPRR of Governments final approval.
Submit Draft Second Annual Update of Project Construction Schedule	To be submitted by the later of: (1) February 1, 2001; or (2) 2 weeks after STB approval of abandonment and the CITU.
• Governments Review of the Draft Second Annual Update of Project Construction Schedule	To be completed within 3 weeks after receipt by the Governments
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Second Annual Updated Project Construction Schedule	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.

Activity	Scheduled Deadlines
Project QA/QC Plan	
• Draft Project QA/QC Plan	To be submitted within 5 weeks after lodging of CD.
• Governments Review of the Draft Project QA/QC Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt of a notice of disapproval.
• Final Project QA/QC Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Project Health and Safety Plan	To be submitted within 4 weeks after lodging of CD.
Monthly Progress Reports	To be submitted by the 10th of the month following the reporting period. The reporting period shall be a calendar month beginning with the first full calendar month after lodging of the CD.
Quarterly Progress Reports	To be submitted by the 10th of the month following the reporting period. The reporting period shall be a calendar quarter beginning with the first full calendar quarter after lodging of the CD.
Incident Reports (e.g. Spills, etc.)	As necessary
Technical Memoranda	As necessary

5.4 Salvage of Track, Ties, and Other Track Material Element of Work

Activity	Scheduled Deadlines
Access and Staging Plan	
• Draft Access and Staging Plan	To be submitted by the later of: (1) May 1, 2000; or (2) 4 weeks after STB approval of abandonment and the CITU.
• Governments Review of the Draft Access and Staging Plan	To be completed within 2 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Access and Staging Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.

Activity	Scheduled Deadlines
Survey monument installation and data transmittal as required by Section 2.2.3.2	To be submitted to the Governments no later than 30 days prior to the Start of the Track, Ties, and Other Track Material Element of Work
Commence Start of the Salvage of Track, Ties, and Other Track Material Element of Work	As per the approved Project Construction Schedule
Initiation of Operation Report for the Salvage of Track, Ties, and Other Track Material Element of Work	To be submitted within 2 weeks after the start of the Salvage of Track, Ties, and Other Track Material Element of Work
Completion of the Salvage of Track, Ties, and Other Track Material Element of Work	As per the approved Project Construction Schedule
Pre-certification Inspection for the Salvage of Track, Ties, and Other Track Material Element of Work	To be requested of the Governments by UPRR within 90 days after completion of the Salvage of Track, Ties, and Other Track Material Element of Work
Completion of Obligation Report for the Salvage of Track, Ties, and Other Track Material Element of Work	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this element of work has been fully performed and the Performance Standards attained.

5.5 Flood Damage Repair Element of Work

Activity	Scheduled Deadlines
Completion of the Flood Damage Repair Element of Work	Within 36 months after the Start of the Salvage of Track, Ties, and Other Track Material Element of Work
Pre-certification Inspection for the Flood Damage Repair Element of Work	To be requested of the Governments by UPRR within 90 days after completion of the Flood Damage Repair Element of Work
Completion of Obligation Report for the Flood Damage Repair Element of Work	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this element of work has been fully performed and the Performance Standards attained.

5.6 Removals, Disposal, and Protective Barriers Element of Work

Activity	Scheduled Deadlines
Draft Removal Characterization Sampling and Analysis Plan as required by Section 2.4.3.3.b.	To be submitted by the later of: (1) by May 1, 2000; or (2) within 4 weeks after STB approval of abandonment and the CITU.
• Governments Review of the Draft Removal Characterization Sampling and Analysis Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Removal Characterization Sampling and Analysis Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Draft Reservation Mine Waste Removal Plan as specified in Section 2.4.3.3.c	To be submitted within 90 days of completion of the characterization sampling and analysis within the Reservation specified in Section 2.4.3.3.b.
• Governments Review of the Draft Reservation Mine Waste Removal Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Reservation Mine Waste Removal Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Commence Start of the Removals, Disposal, and Protective Barriers Element of Work except for the Coeur d'Alene Reservation Removals and Disposal Component of Work	As per the approved Project Construction Schedule
Initiation of Operation Report for the Removals, Disposal, and Protective Barriers Element of Work except for the Coeur d'Alene Reservation Removals and Disposal Component of Work	To be submitted within 2 weeks after the start of the Removals, Disposal, and Protective Barriers Element of Work except for the Coeur d'Alene Reservation Removals and Disposal Component of Work
Commence Start of the Coeur d'Alene Reservation Removals and Disposal Component of Work	As per the approved Project Construction Schedule
Initiation of Operation Report for the Coeur d'Alene Reservation Removals and Disposal Component of Work	To be submitted within 2 weeks after the start of the Coeur d'Alene Reservation Removals and Disposal Component of Work
Optional Pre-certification Inspection for that portion of the Removals, Disposal, and Protective Barriers Element of Work within the Upper Basin (This item shall only occur if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)	To be requested of the Governments by UPRR within 90 days after UPRR believes that the Upper Basin portion of this element of work has been fully performed and the Performance Standards attained.

Activity	Scheduled Deadlines
Optional Completion of Obligation Report for that portion of the Removals, Disposal, and Protective Barriers Element of Work within the Upper Basin (This item shall only occur if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that the Upper Basin portion of this element of work has been fully performed and the Performance Standards attained.
Completion of all components of the Removals, Disposal, and Protective Barriers Element of Work	As per the approved Project Construction Schedule
Pre-certification Inspection for all remaining portions of the Removals, Disposal, and Protective Barriers Element of Work for which a Pre-certification Inspection has not been previously requested	To be requested of the Governments by UPRR within 90 days after completion of all remaining portions of the Removals, Disposal, and Protective Barriers Element of Work for which a Pre-certification Inspection has not been previously requested.
Completion of Obligation Report for all remaining portions of the Removals, Disposal, and Protective Barriers Element of Work for which a Completion of Obligation Report has not been previously requested	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this element of work has been fully performed and the Performance Standards attained.

5.7 Residential Use Areas Element of Work

Activity	Scheduled Deadlines
Residential Use Area Work Plan	
• Submit encroachment information to Tribe/State	To be submitted within 8 weeks after lodging of the CD.
• State/Tribe decide on resolution for encroachments	To be completed within 8 weeks after receipt by the State/Tribe of available encroachment information.
• Draft Residential Use Area Work Plan	To be submitted within 6 weeks after receipt by UPRR of the State/Tribe decision on resolution for encroachments.
• Governments Review of Draft Residential Use Area Work Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt of a notice of disapproval.
• Final Residential Use Area Work Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.

Activity	Scheduled Deadlines
Commence Start of the Residential Use Areas Element of Work	As per the approved Project Construction Schedule
Initiation of Operation Report for the Residential Use Areas Element of Work	To be submitted within 2 weeks after the start of the Residential Use Areas Element of Work.
Completion of the Residential Use Areas Element of Work	As per the approved Project Construction Schedule
Pre-certification Inspection for the Residential Use Areas Element of Work	To be requested of the Governments by UPRR within 90 days after completion of the Residential Use Areas Element of Work.
Completion of Obligation Report for the Residential Use Areas Element of Work	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this element of work has been fully performed and the Performance Standards attained.

5.8 Trail Element of Work

Activity	Scheduled Deadlines
Trail Work Plan (Not including the bridge related work plans)	
• Draft Trail Work Plan	To be submitted by the later of: (1) 12 Weeks after lodging of CD; or (2) 6 weeks after the State/Tribe decide on final oasis, trail head, and stop and view locations.
• Governments Review of the Draft Trail Work Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Trail Work Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Bridge Inspection Work Plan	
• Draft Bridge Inspection Work Plan	To be submitted within 8 weeks after lodging of the CD.
• Governments Review of the Draft Bridge Inspection Work Plan	To be completed within 3 weeks after receipt by the Governments.

Activity	Scheduled Deadlines
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Bridge Inspection Work Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Bridge Inspection Report	
• Draft Bridge Inspection Report	To be submitted within 6 weeks after completion of the inspections.
• Governments Review of the Draft Bridge Inspection Report	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Bridge Inspection Report	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Bridge Repair and Modification Work Plan	
• Draft Bridge Repair and Modification Work Plan	To be submitted within 6 weeks after the Governments approval of the Bridge Inspection Report.
• Governments Review of the Draft Bridge Repair and Modification Work Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Bridge Repair and Modification Work Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.
Chatcolet Fixed Span Work Plan or Chatcolet Fixed Span Work Plan depending upon the Coeur d'Alene Tribe's election in Section 2.6.3.3.e.	
• Draft Chatcolet Fixed (or Swing) Span Work Plan	To be submitted within 52 weeks after lodging of the CD.
• Governments Review of the Draft Chatcolet Fixed (or Swing) Span Work Plan	To be completed within 3 weeks after receipt by the Governments.
• Re-submission (if a notice of disapproval is received)	To be submitted within 2 weeks or such longer time as specified by EPA after receipt by UPRR of a notice of disapproval.
• Final Chatcolet Fixed (or Swing) Span Work Plan	To be submitted within 2 weeks of receipt by UPRR of Governments final approval.

Activity	Scheduled Deadlines
Optional Pre-certification Inspection for that portion of the Trail Element of Work within the Upper Basin (This item shall only occur if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)	To be requested within 90 days after UPRR believes that this portion of the element of work has been fully performed and the Performance Standards attained.
Optional Completion of Obligation Report for that portion of the Trail Element of Work within the Upper Basin (This item shall only occur if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this portion of the element of work has been fully performed and the Performance Standards attained.
Completion of the Trail Element of Work	Within 36 months after the Start of the Salvage of Track, Ties, and Other Track Material Element of Work
Pre-certification Inspection for all remaining portions of the Trail Element of Work for which a Pre-certification Inspection has not been previously requested	To be requested of the Governments by UPRR within 90 days after completion of all remaining portions of the Trail Element of Work for which a Pre-certification Inspection has not been previously requested.
Completion of Obligation Report for all remaining portions of the Trail Element of Work for which a Completion of Obligation Report has not been previously requested	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that this element of work has been fully performed and the Performance Standards attained.

5.9 Maintenance and Repair Element of Work

Activity	Schedule
Flowchart of Inspection Procedures as Defined in the M&R Plan	Within 26 weeks after lodging of the CD.
Commence Start of the Maintenance and Repair Element of Work on the Upper Basin portion of the ROW (This item shall only occur if UPRR elects to obtain certification of completion in accordance with Section XIV of the CD and Section 1.4.17 of this SOW for the Upper Basin portion of this Element of Work)	Within 30 days after the earlier of: (1) receipt by UPRR of the Governments approval of a Completion of Obligation Report for each Element of Work (except Maintenance and Repair) or portions thereof as provided for in Section 1.4.17 for the Upper Basin portion of the ROW; or (2) another date that is mutually agreeable to the Settling Parties.
Initiation of Operation Report for the Maintenance and Repair Element of Work on the Upper Basin portion of the ROW	Within 2 weeks of the start of the Maintenance and Repair Element of Work on the Upper Basin portion of the ROW

Activity	Schedule
Commence Start of the Maintenance and Repair Element of Work on all portions of the ROW	Within 30 days after receipt by UPRR of the Governments approval of a Completion of Obligation Report for each Element of Work except Maintenance and Repair
Initiation of Operation Report for Maintenance and Repair Element of Work on all portions of the ROW	Within 2 weeks of the start of Maintenance and Repair Element of Work on all portions of the ROW
Annual Maintenance and Repair Summary Report	To be submitted by April 1st following the reporting period covered by the report. The reporting period shall be a calendar year beginning with the first calendar year in which the start of the Maintenance and Repair Element of Work on any portion of the ROW commences.

5.10 Completion of Work Report

Activity	Schedule
Pre-certification Inspection for all Elements of the Work	To be requested of the Governments by UPRR within 90 after UPRR concludes that all Elements of the Work (including Maintenance and Repair) have been fully performed.
Completion of Work Report	To be submitted within 30 days after the pre-certification inspection provided that, based on the results of the inspection, UPRR continues to believe that all Elements of Work has been fully performed.

TABLES

Table 2.5.3-1
Action Levels for Residential Use Areas

If Interval Equals or Exceeds Action Level		If Interval Less than Action Level		Remediation Depth
0 - 1"		1 - 6", 6 - 12"		6"
1 - 6"		0 - 1", 6 - 12"		6"
6 - 12"		0 - 1", 1 - 6"		12"
12 - 18"	AND	0 - 1", 1 - 6", 6 - 12"	THEN	NO REMEDIATION
0 - 1", 1 - 6"		6 - 12"		6"
0 - 1", 6 - 12"		1 - 6"		12"
1 - 6", 6 - 12"		0 - 1"		12"
NONE		0 - 1", 1 - 6", 6 - 12"		NO REMEDIATION

Table 2.7.3-1
Trail Facilities

Location			Amenities					
Description	**Approximate M.P.**	**Designation**	**No. of Parking Stalls/Surface**	**No. of Compost Toilets**	**No. of Shade Shelters**	**No. of Picnic Tables**	**No. of Park Benches**	**No. of Bike Racks**
Plummer Creek	18.0	Oasis		1		2	3	1
O'Gara Bay	26.5	Oasis		1	1	2	3	1
Springston Siding	33.9	Trail Head	10/ gravel				2	
Springston	34.4	Oasis		1		2	3	1
Springston-Medimont	2 locations	Stop & View				2	2	
Medimont	41.3	Trail Head/Oasis	12/ gravel	1		2	3	1
Lane Siding	45.1	Oasis		1		2	3	1
Rose Lake	49.1	Oasis	10/gravel	1		2	3	1
Rose Lake - Cataldo	4 locations	Stop & View	10/ gravel			4	4	
Dudley Heights	54.0	Oasis		1		2	3	1

Location			Amenities					
Description	**Approximate M.P.**	**Designation**	**No. of Parking Stalls/Surface**	**No. of Compost Toilets**	**No. of Shade Shelters**	**No. of Picnic Tables**	**No. of Park Benches**	**No. of Bike Racks**
Cataldo	57.5	Trail Head/Oasis	10/ gravel	1		2	2	1
Cataldo - Enaville	4 locations	Stop & View				4	4	
Enaville	62.6	Trail Head	10/ gravel			2	2	
Shont	72.6	Trail Head	20/ pavement			2	2	
Osburn Siding	76.8	Trail Head	10/ pavement		1	2	2	
Wallace	80	Trail Head	30/ pavement			2	2	
Cami's Oasis	1.75	Oasis		1	1	2	3	1
West Mullan	6.4	Trail Head	20/ pavement			2	2	
		Totals:	9	9	3	38	48	9

Note: Compost toilets, shade shelters, picnic tables, park benches, or bike racks may be relocated to trail head, oasis, or stop and view locations other than the one for which they are shown provided that the total number of these items for all locations is not exceeded.

Table 2.7.3-2
Specifications for Trail Amenities

Amenity	Description	Manufacturer's Make & Model
Picnic Table	6 Foot table anodized aluminum	Kay Park-Rec Corp. 6SPT series or equivalent
Shade Shelter		Allowance of $6000 ea.
Bike Rack	Loop style bike rack - galvanized	Kay Park-Rec Corp. 2 3/8" - 3 loop in ground or equivalent
Park Bench		Allowance of $500 ea.
Compost Toilet	Single Unit Prefabricated Photovoltaic Compost Toilet	CXT Brand Model Pueblo or equivalent

Table 2.7.3-3
Traffic/DOT Signs

Catagory	Size	Type	Number
Traffic/DOT Signs			
• At road Crossings			
• Stop Ahead	DOT Standards	Dot Standards	98
• Stop sign for trail	DOT Standards	Dot Standards	98
• Bike/Pedestrian Crossing for road	DOT Standards	Dot Standards	98
• At driveway crossings			
• Yield signs	DOT Standards	DOT Standards	21
Safety & Hazard Advisory			
• Hazard			8
• Bridge safety			4
• Falling rock			3
• No swimming			26

Catagory	Size	Type	Number
• Mine Waste Warning & Safety			14
• No hunting			14
Exposure Management			
• Introduction	4 x 5 ft.	Embedded fiber-glass	20
• Oasis	2 x 3 ft.	Embedded fiber-glass	6
• Stop & View	2 x 3 ft	Embedded fiber-glass	10
• Access control	1 x 1.5 ft	Heavy gauge aluminum	110
• Stay on Trail	9 x 6 inches	Heavy gauge aluminum	314
• No camping	9 x 6 inches		21
• No parking	1 x 1.5 ft		34
• Exposure education	2 x 3	Embedded fiber-glass	7
• Distance signs	9 x 6 inches	Heavy gauge aluminum	12
• Highwater road	9 x 6 inches	Heavy gauge aluminum	25